

**No. 53.**—Mr. L. H. Butcher, Assistant Engineer, 1st grade, has been granted by Her Majesty's Secretary of State for India leave on medical certificate for nine and half months in commutation of the six months' special leave granted him in Director-General's Notification No. 35, dated 25th March, 1887.

*The 13th June, 1887.*

No. 54.—Lieutenant S. L. Craster, R.E., Assistant Engineer, 2nd grade, is granted language leave for three months, under Public Works Department Code, Volume I, Chapter II, paragraph 24, with effect from such date as he may be permitted to avail himself of the leave.

L. CONWAY-GORDON,  
*Director-General.*

**Statement of Silver Balance in the Calcutta Mint for the week ending 15th June, 1887.**

	R	R
Value of silver held in the Mint on account of the Currency Department on the evening of the 8th June, 1887.	15,15,581	
Value of Government silver in the Mint on the same date.	38,06,903	
<b>Add—</b>		53,22,484
Silver received by the Mint during the week on account of the Currency Department	21,70,110	
Ditto ditto Government	14,96,081	
<b>DEDUCT—</b>		36,66,791
New coin paid to Reserve Treasury during the week	15,00,000	
Petty items issued for miscellaneous purposes		89,89,275
		15,00,000
Balance on the evening of the 15th June, 1887		74,89,275
<b>The Balance comprises—</b>		
Silver held on account of the Currency Department	36,85,691	
Ditto ditto Government	38,03,584	
There is in addition awaiting assay—		74,89,275
Bullion belonging to Private Individuals	3,43,933	
Ditto ditto Government	75,06,500	
		78,50,433

R. V. RIDDELL, Lieut.-Colonel, R.E.,  
*Master of the Mint.*

CALCUTTA MINT,  
*The 16th June, 1887.*

**CURRENCY NOTES.**

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

**Lahore Circle.**

**NOTES WHOLLY LOST OR DESTROYED.**

Reg. No.	No. of Notes	Value	Name of Claimant.
15	E 25—14636	50	Hazari Mal and Hari Ram Bankers, Morung, Lahore.

W. H. EGERTON,  
*Deputy Commissioner of Currency.*

LAHORE,  
*The 11th June, 1887.*

**Report of a Deserter from the 2nd Battalion, Seaforth Highlanders, dated at Bareilly, this 10th day of June, 1887.**

Number, Rank, and Name, —No. 1002, Private John McKay.	Date of Enlistment,—9th February, 1884.
Age,—21 years 3 months.	At what Place Enlisted,—Fort George.
Size,—5 feet 5½ inches.	Parish and County in which Born,—Farr, Sutherland.
Colour of—	Marks,—None.
Complexion, fresh; Hair, light brown; Eyes, blue.	Trade,—Labourer.
Date of Desertion,—14th May, 1887.	Coat or Jacket,—
Place of Desertion,—Bareilly.	Waistcoat,—
	Breeches or Trowsers,—
	REMARKS,—
	Under 4 years' service.

AND. MURRAY, Colonel,  
*Comdg. 2nd Battn., Seaforth Highlanders.*

**Report of a Deserter from the R Battery, 4th Brigade, Royal Regiment of Artillery, dated at Kirkee, this 13th day of June, 1887.**

Number, Rank, and Name, —No. 10110, Driver James Borden.	Date of Enlistment,—1st March, 1881.
Age,—25 years 3 months.	At what Place Enlisted,—East Stonehouse, Devon.
Size,—5 feet 4½ inches.	Parish and County in which Born,—Lowestoft, Suffolk.
Colour of—	Marks.—Nil.
Complexion, dark; Hair, dark brown; Eyes, blue.	Trade,—Labourer.
Date of Desertion,—8th June, 1887.	Coat or Jacket,—
Place of Desertion,—Kirkee.	Waistcoat,—
	Breeches or Trowsers,—
	REMARKS,—
	Under 7 years' service.

W. MALLINS, Major, R.A.,  
*Comdg. R-4th R.A.*

**Report of a Deserter from the R Battery, 4th Brigade, Royal Regiment of Artillery, dated at Kirkee, this 13th day of June, 1887.**

Number, Rank, and Name, —No. 40431, Driver Joseph Jibby.	At what Place Enlisted,—Newport, Monmouth.
Age,—23 years 4 months.	Parish and County in which Born,—Montreal, Canada.
Size,—5 feet 5 inches.	Marks,—Dark mole, size of a pea, below and to right of right nipple.
Colour of—	Trade,—Labourer.
Complexion, dark; Hair, dark; Eyes, dark brown.	Coat or Jacket,—
Date of Desertion,—8th June, 1887.	Waistcoat,—
Place of Desertion,—Kirkee.	Breeches or Trowsers,—
Date of Enlistment,—24th December, 1883.	REMARKS,—
	Under 4 years' service.

W. MALLINS, Major, R.A.,  
*Comdg. R-4th R.A.*

**TREASURE TROVE.**

**NOTICE.**

It is hereby notified under Section 5 of the Indian Treasure Trove Act, VI of 1878, that on or about the 16th day of April, 1887, treasure consisting of the jewels described below, valued in the aggregate at Rs20, was found hidden in the land known as "Mallapadu" in the village

of Pinapadu, Repalli Taluq, Kistna District, in the Madras Presidency :—

Name.	No.	Weight.	Value.
Gold wire	1	36½	20 0 0
Copper wires	2	...	Valueless.

All persons claiming the said treasure, or any part thereof, are hereby required to appear personally or by agent before the Collector of Kistna, at his office, on Saturday, the 26th November, 1887, in order to make the matter being enquired into and determined in accordance with the provisions of the Act.

R. SEWELL,  
Acting Collector.

KISTNA COLLECTOR'S OFFICE,  
MASULIPATAM,  
The 27th May, 1887.

#### NOTICE.

It is hereby notified under Section 5 of Act VI of 1878, that on or about the 16th December, 1886, treasure consisting of the undermentioned copper idols, valued at Rs 37-14-9, was found under ground in land (Paimash No. 517) measured as unoccupied Nanja waste land in the village of Marudavanain, in Tiruturaipundi Taluq, Tanjore District :—

		Seers.
1. Varadarajaswami, weighing		38½
2. Ditto Amman, weighing		26½
3. Ditto with a hand broken, weighing		48½
4. Ditto Amman, weighing		29
5. Gopalakrishnaswami, weighing		59½
TOTAL		*202½

\* Valued at Rs 37-14-9.

All persons claiming the said treasure or part thereof are hereby required to appear personally or by agent before the Collector of Tanjore, at his office, on the 15th November, 1887, in view to the matter being enquired into and determined according to law.

#### NOTICE.

It is hereby notified under Section 5 of Act VI of 1878, that on or about the 26th December, 1886, treasure consisting of the undermentioned copper idols, &c., valued at Rs 111-2-9, was found under ground in the land known as Natham Kallalai Punjar, belonging to one Sambasiva Aiyar, in the village of Alathur in Manargudi Taluq, Tanjore District :—

	Seers.
1. Subramaniaswami, weighing	214
2. Gopalakrishnaswami, weighing	235
3. Rukmani Amman, weighing	119
4. Sathiabama Amman, weighing	111
5. Drum (Dayandoi)	29
6. Another drum	36
TOTAL	*744

\* Valued at Rs 111-2-9.

All persons claiming the said treasure, or part thereof, are hereby required to appear personally or by agent before the Collector of Tanjore, at his office, on the 15th October, 1887, in view to the matter being enquired into and determined according to law.

#### NOTICE.

It is hereby notified under Section 5 of Act VI of 1878, that on or about the 27th December, 1886, treasure consisting of the undermentioned copper idols, &c., valued at Rs 15-15, was found under ground in land (Paimash No. 817), belonging to Puttadar No. 23, Perianayagiammal, in the village of Talanayar, Agraharam, in Tiruturaipundi Taluq, Tanjore District :—

	Seers.
1. Three sets of Raja Gopalswami, with goddess, &c., eight in number, weighing	12½
2. One set of Venu Gopalswami, with goddess, &c., three in number, weighing	4½
3. Vishnu, in lying posture, weighing	3½
4. Two Pathugais, weighing	1
TOTAL	*21½

\* Valued at Rs 15-15.

All persons claiming the said treasure or part thereof are hereby required to appear personally or by agent before the Collector of Tanjore, at his office, on the 15th November, 1887, in view to the matter being enquired into and determined according to law.

E. GIBSON,  
Acting Collector.

TANJORE COLLECTOR'S OFFICE,  
Camp, the 9th June, 1887.

#### KOTRI CEMETERY.

The following monument in the Cemetery at Kotri, Sind, being in a ruinous condition, notice is hereby given, in accordance with Notification No. 103 Ecclesiastical, dated 20th June, 1885, Part I, Rule XIX, that if the said monument be not repaired by some interested person or persons it will be levelled and the slab it contains will be built into the nearest wall of the Cemetery :—

Name.	Date of Monument.	Portion of Cemetery.
Anne D'Costa, wife of P. M. D'Costa, I.V.S.R.	1878	Roman Catholic.

F. B. SANDBERG,

Chaplain in charge of the Cemetery.

HYDERABAD, SIND,  
The 2nd June, 1887.

#### POST OFFICE.

#### NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 16th June, 1887.

Bruce, A. E. Gritton, H. R. L. Jamrack, W.  
Carpenter, A. W. Harrower & Co. Macdonald & Co.



## Letters marked "Care of Post Office."

A. A.	Eugene, M.	Miller, W. E.
A. T. C.	Fehlberg, Madam H.	Minto, Col. J. C.
Abbot, C. A.	Fleming, Miss M.	Moody, H. deC.
"Advertiser."	Fraser, W. A.	Moynam, Mrs. W.
"Alpha."	Freedman, J. J.	E. B.
Ancell, F.	"Gasture."	Moynam, Surgeon-
Atwood, T. A. G.	Giles, A. H.	Major.
Austin, F.	Gracie, Sig. G.	Newman, Miss E.
Becher, Capt. S. O.	Grant, Mrs.	Orme, R. W.
Bellefin, B.	Grimbaum, Rachel.	Pemchard, F. J.
Black, W.	Helke, F.	Peters, Surgeon-Major
Boyde, S.	Hughes, H.	C. T.
Brassey, Lord.	Jones, H.	Petter, E.
Champ, C.	Jones, J. B.	Power, J.
Chasbin, Mrs.	Jones, T. E. S.	Rushton, M.
Chevillier, Made-	Keisler, Dr. F. L.	Smith, C. J.
moiselle.	Kennedy, James.	Smith, John H.
Ching, Ernest.	Kearney, Mrs.	Stevens, Mrs. Abel.
Clefford, Charles.	Latty, D. B.	Stevenson, Mrs.
Cohen, Miss B.	Lees, Thomas.	Stewart, J. M.
Collins, A. H.	Lemorchand, J. R.	Sturrock, J. G.
Connolly, Mrs. L.	Linzee, A. G.	Taylor, Lieut. A. W.
Croghan, W. J.	Loder, G. W. E.	Thibaud, P. C.
Dargus, Charles.	Loidor, R.	Thomson, E. B.
DeButts, F. R.	Macdonald, Lieut. C.	Thompson, G. T.
Deutsch, A.	H.	Toutella, M. J.
Dorrett, Miss S.	Mackenzie, K.	Touzel, C. J. C.
Driman, Harry.	Mackintosh, W.	Whitmore, T.
Duffy, E.	Margosian, R.	Wilks, E. B.
Elliott, Hy.	Marshall, George.	Wilson, Lewis.
English, Mr.	Martin, C. P. N.	Wilson, Miss.
Eshkenazi, Jacob.	McCulloch, H. D.	

## Registered Letters.

Bennett, Gordon.	Cooper, T. R.	La Mindirizioni La
Brassey, Lord.	Galdschtein, Z.	Fareti.
Brooks, Mrs.	Jacob, David.	McIntosh, W. A.
Campbell, J. E.		Petter, E.

Unclaimed Letters held in the Barrackpore Post Office on the 13th June, 1887.		
Borns, Capt. J. H.	Dumont, F.	Murray, C. S.
Chatterjee, Peary	Doyle, A.	Rydquist, C. F.
Mohun.	Lewis, Miss L. A. R.	Waia, Mr.
Cernot, J.	McDonald, A.	

E. HUTTON,

Presidency Postmaster, Calcutta.

Calcutta, the 18th June, 1887.

## SEA AND FOREIGN MAILS.

Mails for	Date of closing at Calcutta.	Route by which despatched.
Egypt, Europe, America, Cape Colonies, through United Kingdom	1887.	
Ditto ditto ditto	18th June	Per P. & O. Str. from Bombay.
Ditto (Book Post and Pattern Packets)	25th "	Ditto.
Mauritius, Mahe (Seychelles), Mayotte, Nossi Be and Reunion	24th "	Ditto.
Zanzibar, Mozambique and East Coast of Africa generally, Delagoa Bay, Natal and Cape Colonies by B. I. Steamers from Aden to Zanzibar and thence by the Castle Mail Packets (Supplementary)	25th "	Ditto.
Ceylon, Straits Settlements, Netherlands India, Labuan, Bangkok (Siam), Philippine Islands, China and Japan	18th "	Ditto.
Australia, New Zealand and Tasmania	21st "	Ditto.
Madras and Colombo	21st "	Ditto.
Straits and Hong-Kong	22nd "	Per P. & O. Steamer Thames.
Rangoon and Moulmein	20th "	Per Steamer Japan.
Akyab, Kyauk Phyo, and Rangoon	22nd "	Per Steamer Rajputana.
Ditto ditto ditto	22nd "	Per Steamer Bushoor.
Rangoon and Moulmein	18th "	Per Steamer Loodiana.
	18th "	Per Steamer Chupra.

N.B.—On Ordinary Mail days the letter-box will close at 7 P.M. precisely; after which hour letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

On Foreign Mail day the letter-box will close at 8-30 P.M., and late letters will be received up to 9 P.M.

E. HUTTON,

Presidency Postmaster, Calcutta.

## GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for quinine, and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanic Garden, Calcutta, *for cash only*, at the following rates—per four-ounce tin, *R4-8*; per eight-ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanic Garden, *for cash only*, at the under-noted rates—per four-ounce tin, *R5-8*; per eight-ounce tin, *R10-8*; per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage, eight annas per four and eight-ounce tins, and twelve annas per pound tin, in addition to the foregoing rates.

## گورنمنٹ سینکونا فبري فيوج

یہ دوا کوئیٹائیں کا خوب قائم مقام ہے اور نلکتہ کے ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے ہوائیک ملزم سرکاری واسطے سرکاری کام اور خیرات کے اور سوائے انکے ہر کوئی ایک مسد بیس ہونڈ خرید لینے سے بقیہ نقد حسب نوع ذیل خرید کر سکتے ہیں یعنی نوع چار اونس کے ٹیس کا چار روپیہ آٹھہ آنہ ؛ آٹھہ اونس کے ٹیس کا آٹھہ روپیہ آٹھہ آنہ ؛ ایک ہونڈ کے ٹیس کا سولہ روپیہ آٹھہ آنہ

اور حوام الناس ہوائیکل گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیہ نقد حسب نوع ذیل خرید کر سکتے ہیں یعنی نوع چار اونس کے ٹیس کا پانچ روپیہ آٹھہ آنہ ؛ آٹھہ اونس کے ٹیس کا دس روپیہ آٹھہ آنہ ؛ ایک ہونڈ کے ٹیس کا دس روپیہ

یہ دوا نلکتہ کے بڑے دکانی اور دھبی دوا خانوں میں پکٹی ہے ماسوائے نمونہ مذکورہ بالا کے معقول قاک جا، اور آٹھہ اونس کے ٹیس کا آٹھہ آنہ ؛ اور ایک ہونڈ کے ٹیس کا پانچہ آنہ

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## PART II.

Notifications by High Court, Comptroller General, &c.

### GAZETTE OF INDIA.

#### NOTICE.

*The 19th March 1887.*

From the 2nd April next, till further notice, Parts I, IV, V, and VI of the *Gazette of India*, and the Weather and Crop Reports, will be published at Simla. After the 26th instant, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at Simla.

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Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,

*Publisher, Gazette of India.*

### SURVEY OF INDIA.

#### NOTIFICATIONS.

*Simla, the 15th June, 1887.*

No. 619.—Mr. J. T. U. Coxen, Surveyor, 4th grade, Survey of India, having returned from the leave granted in Notification No. 590, dated 17th November, 1886, on the forenoon of the 10th May, 1887, the following reversion is made, with effect from the same date:—

Mr. W. J. Cornelius, Officiating Surveyor, 4th grade, to revert to his substantive appointment of Assistant Surveyor, 1st grade.

No. 620.—Mr. A. Christie, Surveyor, 3rd grade, Survey of India, having been permitted

to return from the furlough granted him in Notification No. 583, dated 10th September, 1886, on the forenoon of the 16th May, 1887, the following reversion is made, with effect from the same date :—

Mr. E. A. Wainright, Officiating Surveyor, 4th grade, to revert to his substantive appointment of Assistant Surveyor, 1st grade.

**No. 621.**—Mr. J. H. Wilson, Assistant Surveyor, 1st grade, Survey of India, is granted privilege leave for three months, under Chapter X, Section 138, of the Civil Leave Code, with effect from 13th July, 1887, or such subsequent date as his services can be spared.

*The 17th June, 1887.*

**No. 622.**—The following reversion and temporary promotion are made, with effect from the forenoon of the 14th May, 1887, the date on which Mr. F. W. Kelly, Assistant Superintendent, 1st grade, returned to duty from leave :—

Lieutenant S. G. Burrard, R.E., Officiating Deputy Superintendent, 4th grade, to revert to his substantive post of Assistant Superintendent, 1st grade.

Mr. F. W. Kelly, Assistant Superintendent, 1st grade, to officiate as Deputy Superintendent, 4th grade.

**No. 623.**—With reference to the Notification of the Government of India in the Revenue and Agricultural Department, No. 246-15-13 S., dated the 5th May, 1887, placing the services of Lieutenant-Colonel W. Barron, S.C., Deputy Superintendent, 2nd grade, at the temporary disposal of the Government of the Straits Settlements, the following temporary promotions are made, with effect from the afternoon of the 14th May, 1887, the date on which Lieutenant-Colonel Barron made over charge of his duties in India :—

Major J. Hill, R.E., Deputy Superintendent, 3rd grade, to officiate as Deputy Superintendent, 2nd grade.

Mr. E. J. Jackson, Deputy Superintendent, 4th grade, to officiate as Deputy Superintendent, 3rd grade.

Lieutenant S. G. Burrard, R.E., Assistant Superintendent, 1st grade, to officiate as Deputy Superintendent, 4th grade.

**No. 624.**—Lieutenant-Colonel R. Beavan, S.C., Officiating Deputy Superintendent, 3rd grade, Survey of India, having made over charge of his duties on the afternoon of the 7th June, 1887, preparatory to availing himself of the furlough granted by Military Department Notification No. 240, dated 15th April, 1887, the following temporary promotions are made, with effect from the same date :—

Brevet Major St. G. C. Gore, R.E., Deputy Superintendent, 4th grade, to officiate as Deputy Superintendent, 3rd grade.

Mr. A. D'Souza, Assistant Superintendent, 1st grade, to officiate as Deputy Superintendent, 4th grade.

*The 20th June, 1887.*

**No. 625.**—Lieutenant-Colonel J. E. Sandeman, S.C., Officiating Deputy Superintendent, 2nd grade, is granted privilege leave for three

months, under Sections 71 to 74 of Chapter V of the Civil Leave Code, with effect from the 9th July, 1887, or from such subsequent date as he may avail himself thereof,

H. R. THUILLIER, *Lieut.-Col., R.E.,*  
*Surveyor General of India.*

### AGENT TO THE GOVERNOR-GENERAL, RAJPUTANA.

#### NOTIFICATIONS.

*Abu, the 14th June, 1887.*

**No. 1458 G.**—With reference to this Office Notification No. 1168 G., dated the 20th May, 1887, Colonel E. Temple resumed charge of his duties as 2nd Assistant to the Resident in Meywar, from Colonel A. Conolly, on the afternoon of the 1st June, 1887.

*The 20th June, 1887.*

**No. 1553 G.**—The following Hospital Assistants, who have passed the examination held at Agra, are promoted to the next higher grade, with effect from the 15th April, 1887 :—

Class.	Name.	Attached to	Class to which promoted.	With or without English qualification.
2nd	Abdul Rahim	Mahwa Dispensary in Jeypore.	1st	With.
2nd	Mahomed Abdul Wahid.	Charitable Dispensary, Beawar.	1st	With.
3rd	Hushmut Ally	Native State Reserve List.	2nd	Without.
3rd	Devi Lal	Bandikui Dispensary in Jeypore.	2nd	Without.

**No. 1554 G.**—Medical Pupil Ram Gopal, educated at the Agra Medical School for service in Native States, passed his final examination on the 15th April, 1887, from which date he was appointed a 3rd class Hospital Assistant, and placed on the Native States Reserve List.

By Order,

E. A. ERASER, *Major,*  
*1st Asst. Agent to the Govr.-Genl.,*  
*Rajputana.*

### RESIDENT IN MYSORE.

#### NOTIFICATIONS.

(UNDER SECTION 55 OF ACT I OF 1879.)

*Bangalore, the 15th June, 1887.*

**No. 1835-6716.**—With the previous sanction of the Government of India, the Resident in Mysore hereby notifies that the following addition be made to Rule VI of the Rules published under Notification of the Chief Commissioner of Mysore, No. 209, dated the 23rd September, 1870, viz. :—

“Provided that nothing herein contained shall apply to the Postmaster at Bangalore, who is required to keep a supply of one-

anna revenue stamps for sale to the public and to whom on such sales discount at the rate of one-half anna in the Rupee shall be allowed."

*The 17th June, 1887.*

**No. 1889-6435.**—With the approval of the Government of India, the Officiating Resident in Mysore is pleased to appoint Mr. F. Fawcett, Assistant Superintendent of Police, Ganjam, whose services have been placed at the Officiating Resident's disposal by the Madras Government, to officiate as District Superintendent of Police in the Civil and Military Station of Bangalore during the deputation of Mr. E. Hewetson on other duty, or until further orders

*The 18th June, 1887.*

**No. 1892-6435.**—Mr. F. Fawcett arrived at Bangalore, and assumed charge of his duties as Officiating District Superintendent of Police in the Civil and Military Station of Bangalore from Mr. M. W. Mellor, Inspector of Police, on the 17th June, 1887.

**No. 1896-6246.**—Under instructions from the Government of India, the Resident in Mysore is pleased to declare, under Section 25 of the Negotiable Instruments Act, that the 21st June shall be observed as a public holiday in the Civil and Military Station of Bangalore in connection with the celebration of Her Majesty the Queen-Empress's Jubilee.

By Order,

DONALD ROBERTSON, Major,  
Assistant to the Resident.

## MILITARY WORKS DEPARTMENT.

### NOTIFICATION.

*Simla, the 17th June, 1887.*

**No. 12 A.**—Military Works Department Notification No. 11 A. of 14th April, 1887, stating that Lieutenant C. A. R. Browne, R.E., officiated as Examiner of Military Works Accounts from 23rd November, 1886, to the afternoon of 3rd January, 1887, is hereby cancelled.

G. M. PORTER, Captain, R.E.,  
for Inspector General, Military Works.

## DIRECTOR-GENERAL OF RAILWAYS.

### NOTIFICATIONS.—ESTABLISHMENTS.

*Simla, the 16th June, 1887.*

**No. 55.**—Mr. G. T. St. A. Nixon, Assistant Engineer, 1st grade, has been granted by Her Majesty's Secretary of State for India extraordinary leave without pay for one month in continuation of the leave previously granted to him.

**No. 56.**—Mr. G. T. St. A. Nixon, Assistant Engineer, 1st grade, is, on return from furlough, posted to the Sind-Pishin State Railway, Northern Section.

*The 17th June, 1887.*

**No. 57.**—Baboo Bhoobun Mohun Bose, Executive Engineer, 3rd grade, sub. *pro tem.*, is granted leave on medical certificate for six weeks in extension of that granted to him in Director-General of Railways' Notification No. 50, dated 18th May, 1887.

L. CONWAY-GORDON,  
Director-General.

### Report of a Deserter from the 1st Battalion, Worcestershire Regiment of Foot, dated at Quetta, this 13th day of June, 1887.

Number, Rank, and Name.	At what Place Enlisted,—
—No. , Army Schoolmaster George Riley.	Bow Street, Police Court.
Age,—29 years 10 months	Parish and County in which Born,—Traintes, Preston, Lancashire.
Size,—5 feet 8½ inches.	Marks,—Nil.
Colour of —	Trade,—Schoolmaster.
Complexion, fresh; Hair, brown; Eyes, hazel.	Coat or Jacket,—
Date of Desertion,—9th June, 1887.	Waistcoat,—
Place of Desertion,—Quetta.	Breeches — or Khaki.
Date of Enlistment,—29th July, 1879.	Trowsers,—
	REMARKS,—Known to be anxious to reach Preston, Lancashire.
	Under 8 years' service.

E. CARRINGTON, Lieut.-Colonel,  
Comdg. 1st Battn., Worcestershire Regt.

### Report of a Deserter from the 2nd Battalion, East Yorkshire Regiment of Foot, dated at Colaba, Bombay, this 15th day of June, 1887.

Number, Rank, and Name.	Parish and County in which Born,—Dudley, Dudley, Staffordshire.
—No. E. York.—1527, Private Thomas J. Clee.	
Age,—27 years 10 months.	Marks.—A mole three inches below the left nipple.
Size,—5 feet 6 inches.	Trade,—Clerk.
Colour of —	Coat or Jacket,—
Complexion, fair; Hair, light; Eyes, grey.	Waistcoat,—
Date of Desertion,—13th June, 1887.	Breeches — or Regt. mntd.
Place of Desertion,—Colaba, Bombay.	Trowsers,—
Date of Enlistment,—6th April, 1885.	REMARKS,—Originally enlisted for Governor's Band.
At what Place Enlisted,—Colaba, Bombay.	Under 3 years' service.

A. E. H. SMYTH, Lieut.-Colonel,  
Comdg. 2nd Battn., East Yorkshire Regt.

### Report of a Deserter or Absentee without leave from the L Battery, 3rd Brigade, Royal Artillery, dated at Meerut, this 18th day of June, 1887.

Number, Rank, and Name.	At what Place Enlisted,—
—No. R.A.—5705,—Driver John Ansell.	Portsmouth.
Age,—28 years 6 months.	Parish and County in which Born,—Storrington, Sussex.
Height,—5 feet 5½ inches.	Place of residence for last 12 months before enlistment,—Not known.
Color of —	Marks,—None.
Complexion, fresh; Hair, dark brown; Eyes, blue.	Trade,—Groom.
Date of Desertion or Absence,—16th June, 1887.	Regimentals or plain clothes,—One grey shirt, one pair white overalls, one pair shoes, one cap, Glengarry.
Place of Desertion or Absence,—Meerut.	REMARKS,—
Date of Enlistment,—28th December, 1878.	Under 9 years' service.

L. H. PARRY, Lieut., R.A.,  
Comdg. L-3rd R.A.



Statement of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th June, 1887.

PARTICULARS.	4 PER CENT. LOANS						4½ PER CENT. LOANS				TRANSMIGRATION LOAN OF 1870. Seven Shillings per cent. PORTION.	5 PER CENT. LOAN OF 1860-57.	GRAND TOTAL.
	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced, per cent. from 1870.	Total.	Of 1870.	Of 1872.	Transfer Loan of 1870, 4½ per cent. PORTION.			
Balance of 31st May, 1887	13,67,040	26,71,900	2,31,27,400	90,10,000	2,43,96,300	2,21,07,900	8,26,75,440	42,16,400	69,62,000	9,75,16,900	1,33,800	32,200	19,15,90,840
<i>Add—</i>	...	...	...	...	...	...	...	...	50,000	2,51,000	...	...	3,01,000
Amount enfaced at Madras between 1st and 15th June, 1887	...	...	3,400	3,700	3,000	11,000	21,100	...	10,000	3,24,000	...	...	3,55,100
Amount enfaced at Bombay between 1st and 15th June, 1887	...	2,000	69,900	1,000	2,40,300	36,000	3,49,200	...	5,000	2,58,000	...	...	6,12,200
Amount enfaced at Calcutta between 1st and 15th June, 1887	54,100	26,73,900	2,32,00,700	90,15,600	2,46,39,600	2,21,48,900	8,30,45,740	42,16,400	70,27,000	9,83,49,900	1,33,800	32,200	19,28,59,140
<i>Deduct—</i>	...	...	69,900	36,200	1,68,200	78,400	3,51,800	...	...	11,000	...	...	3,62,800
Amount written off in the London Registers	...	...	...	...	...	...	...	...	...	...	...	...	...
Balance on 15th June, 1887	13,67,040	26,73,900	2,31,31,700	89,79,400	2,44,71,400	2,20,70,500	8,26,93,940	42,16,400	70,27,000	9,83,38,900	1,33,800	32,200	19,24,96,340

NOTE.—From 9th June, 1887, to 15th Apr., 1887, enfaced from India 5,409 lakhs, re-transferred from London 4,866 lakhs.

15th Apr.	5
1st May	20
15th May	12
1st June	3
15th June	4,890
Total	4,940

Balance against India . 566 lakhs.

PUBLIC DEBT OFFICE,  
BANK OF ENGLAND  
Calcutta, 1st June, 1887.

W. D. CRUICKSHANK,  
Offr. Secretary and Treasurer.

## LIABILITIES.

**ASSETS.**

5,57,22,887 8 9

RUPRES . 7,75,46,399 14 6

Rate for Demand Loans 5 per cent.  
Percentage 41'2

### Allahabad Circle.

C. G. VANSITTART,  
Asst. Accountant Genl.,  
*In charge of Paper Currency Office.*

ALLAHABAD,  
The 22nd June, 1887.

**Labore Circle.**

W. H. EGERTON,  
for Deputy Commissioner of Currency.

LANORE,  
The 18th June, 1887.

\*Madras Circle.

**H. S. GROVES,**  
*Asst. Accountant Genl.,*  
*In charge of Paper Currency.*

FORT ST. GEORGE,  
The 18th June, 1887.

R. V. RIDDELL, *Lieut.-Colonel, R.B.,  
Master of the Mint.*

CALCUTTA MINT,  
The 23rd June, 1887.

## CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and

## TREASURE TROVE.

## NOTICE.

It is hereby notified under Section 5 of the Indian Treasure Trove Act, VI of 1878, that on or about the 28th November, 1886, treasure consisting of the undermentioned golden articles, valued at Rs 30, was found under ground in the Sarvamaniam Tope at Radarambal village belonging to Sourirajaperumel Temple at Tirukanapuram in Nannilam Taluk, Tanjore District :—

Articles.	No.
Odukku, with golden hooks . . . . .	2
Golden coins . . . . .	2
Ditto (smaller size) . . . . .	5
<b>TOTAL</b> . . . . .	<b>*9</b>

\* Valued at Rs 30.

All persons claiming the said treasure or part thereof are hereby required to appear personally or by agent before the Collector of Tanjore, at his office, on the 15th October, 1887, in view to the matter being enquired into and determined according to law.

E. GIBSON,  
Acting Collector.

TANJORE COLLECTOR'S OFFICE,  
CAMP VALLAM,  
The 14th June, 1887.

## NOTICE.

It is hereby notified under Section 5 of the Indian Treasure Trove Act, VI of 1878, that on or about the 20th January, 1887, treasure consisting of the undermentioned jewels, &c., valued in the aggregate at about Rs 46-10-3, was found in the vacant yard alleged to belong to Tunuguntla Subbayya, of Mangalagiri, a village in the Guntur Taluq, Kistna District, in the Madras Presidency :—

Names.	Approximate Value.
Ready cash . . . . .	Rs 441 8 3
Gold pagodas, fifty-six, at Rs 5 a pagoda . . . . .	280 0 0
*One candy and odd of paddy . . . . .	40 6 0
A gold neck ornament, called " Patteda " . . . . .	46 12 0
A silver waist string (" Dabamolatadu ") . . . . .	32 0 0
A pair of silver arm rings " Danda Kadi-yalu " . . . . .	6 0 0
Fifteen pieces of brass with rust . . . . .	Valueless.
Three copper nails . . . . .	Valueless.
<b>TOTAL</b> . . . . .	<b>Rs 846 10 3</b>

\* The grain will be sold and the sale proceeds kept in deposit.

All persons claiming the treasure, or any part thereof, are hereby required to appear personally or by agent before the Collector of Kistna, at Masulipatam, on the 5th day of December, 1887, in order that the matter may be enquired into and determined in accordance with the provisions of the Act.

B. RAJA RAO,  
for Acting Collector.

KISTNA COLLECTOR'S OFFICE,  
MASULIPATAM,  
The 15th June, 1887.

## KOTRI CEMETERY.

The following monument in the Cemetery at Kotri, Sind, being in a ruinous condition, notice is hereby given, in accordance with Notification No. 103 Ecclesiastical, dated 20th June, 1885, Part I, Rule XIX, that if the said monument be not repaired by some interested person or persons it will be levelled and the slab it contains will be built into the nearest wall of the Cemetery :—

Name.	Date of Monument.	Portion of Cemetery.
Anne D'Costa, wife of P. M. D'Costa, I.V.S.R.	1878 . . . .	Roman Catholic.

F. B. SANDBERG,

Chaplain in charge of the Cemetery.

HYDERABAD, SIND,  
The 2nd June, 1887.

## SIALKOTE CEMETERY NOTICE.

The monument over the grave of Sergeant James Smith, 52nd Light Infantry, who died 23rd August 1859, aged forty-one years, having fallen out of repair, notice is hereby given that if the aforementioned monument be not repaired before the next repairs, it will be made level with the ground and the tablet placed in the wall of the Cemetery.

R. A. STORRS,  
Chaplain.

## NOTICE.

Referring to Rule XIX of Government of India, Home Department, No. 103, dated the 20th June, 1885, it is notified that the following monuments in the Cemetery of the Cantonment of Aurangabad (in His Highness the Nizam's territory) need repair as they are in a dilapidated and dangerous state :—

- (1) Tomb in memory of John Zaccchens, son of Conductor and Mrs. Stewart, His Highness the Nizam's Army, died on Good Friday, the 25th March, 1842.
- (2) Tomb in memory of Lieutenant Henry Colvin Jackson, of the 45th Regiment, Bengal Native Infantry, died on 9th April, 1842.

Also Henry Bygrave Sutherland Jackson, son of the above and Lucie his wife, born on 3rd October, 1840, and died 13th February, 1842.

J. H. GLASS,  
Offg. Secy. to Resident, Hyderabad,  
P. W. Dept.

## POST OFFICE.

## NOTIFICATIONS.

Unclaimed Letters held in the Calcutta General Post Office on 23rd June, 1887.

Carpenter, A. W.	Gretton, H. R. L.	Macdonald & Co.
Enoul, George.	Jamrack, W.	Macintosh, W. J.
Fergusson & Co.	Kiernander, W.	White, W.



## Letters marked "Care of Post Office."

A. A.	Eugene, M.	Margosian, R.
A. T. C.	Fehlbeg, Madam H.	Marshall, George.
"Advertiser."	Fleming, Miss M.	Mawhood, W.
"Alpha."	Fraser, W. A.	McCulloch, H. D.
Ancell, P.	Freedman, J. J.	Miller, W. E.
Atwood, T. A. G.	"Gasture."	Minto, Col. J. C.
Austin, F.	Giles, A. H.	Moody, H. deC.
Becher, Capt. S. O.	Gracie, Sig. G.	Neuville, P. J.
Bellefin, B.	Grant, Mrs.	Newman, Miss E.
Bemoutrecauna, Mr.	Grinbaum, Rachel.	Orme, R. W.
Black, W.	Helke, F.	Pemchard, F. J.
"Box."	Hind, G. B.	Petter, E.
Boyde, S.	Hughes, H.	Power, J.
Brassey, Lord.	Jones, H.	Rushow, G.
Bruce, Miss M.	Jones, J. B.	Rushton, M.
C. C.	Jones, T. E. S.	Silva, G. E.
Ching, Ernest.	Keisler, Dr. F. L.	Smith, C. J.
Cohen, Miss B.	Kelly, T. M.	St. H. C.
Collins, A. H.	Kennedy, James.	Stevens, Mrs. Abel.
Connolly, Mrs. L.	Latty, D. B.	Stewart, J. M.
Curran, Miss M. A.	Lees, Thomas.	Sturrock, J. G.
Dargus, Charles.	Lemorchand, J. R.	Taylor, Lieut. A. W.
Davis, C. J.	Linsee, A. G.	Thibaud, P. C.
Dorrett, Miss S.	Loindor, R.	Thomson, E. B.
Edwardes, O.	Macdonald, Lieut. C.	Thompson, G. T.
Elliott, Hy.	H.	Touzel, C. J. C.
English, Mr.	Mackenzie, K.	Wilks, E. B.
"Enterprise."	Mackintosh, W.	Wilson, Miss.
Eshkenazi, Jacob.		

## Registered Letters.

Bennett, Gordon.	Cooper, T. R.	La Miandirisoni La
Brassey, Lord.	Galdschtein, Z.	Fareti.
Brooks, Mrs.	Jacob, David.	McIntosh, W. A.
		Potter, E.

## Unclaimed Letters held in the Barrackpore Post Office on the 20th June, 1887.

Burns, Capt. J. H.	Demont, F.	Murray, C. S.
Chatterjee, Peary	Doyle, A.	Rydquist, C. F.
Mohun.	Lewis, Miss L. A. R.	Wain, Mr.
Cornot, J.	McDonald, A.	

E. HUTTON,  
Presidency Postmaster, Calcutta.

Calcutta, the 25th June, 1887.

## SEA AND FOREIGN MAILS.

Mails for	Date of closing at Calcutta.	Route by which despatched.
Egypt, Europe, America, Cape Colonies, through United Kingdom	1887. 25th June	Per P. & O. Str. from Bombay.
Ditto ditto ditto	2nd July	Ditto.
Ditto (Book Post and Pattern Packets)	1st "	Ditto.
Mauritius, Mahe (Seychelles), Mayotte, Nossi Be and Reunion	25th June	Ditto.
Ceylon, Straits Settlements, Netherlands India, Labuan, Bangkok (Siam), Philippine Islands, China and Japan	5th July	Ditto.
Australia, New Zealand and Tasmania	5th "	Ditto.
Madras and Colombo	6th "	Per P. & O. Steamer <i>Chusan</i> .
Straits and Hong-Kong	8th "	Per Steamer <i>Wingsang</i> .
Rangoon and Moulmein	29th June	Per Steamer <i>Patiala</i> .
Akyab, Kyauk Phyoo, and Rangoon	29th "	Per Steamer <i>Coconada</i> .
Port Blair and Camorta	30th "	Per Steamer <i>Maharani</i> .
Rangoon	30th "	Govt. Steamer <i>Clive</i> .

N.B.—On Ordinary Mail days the letter-box will close at 7 P.M. precisely; after which hour letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

On Foreign Mail day the letter-box will close at 8-30 P.M., and late letters will be received up to 9 P.M.

E. HUTTON,  
Presidency Postmaster, Calcutta.

## GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for quinine, and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanic Garden, Calcutta, *for cash only*, at the following rates—per four-ounce tin, *R4-8*; per eight-ounce tin, *R8-8*; per pound tin, *R16-8*. The general public can be supplied by the Superintendent, Botanic Garden, *for cash only*, at the under-noted rates—per four-ounce tin, *R5-8*; per eight-ounce tin, *R10-8*; per pound tin, *R20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage, eight annas per four and eight-ounce tins, and twelve annas per pound tin, in addition to the foregoing rates.

## گورنمنٹ سنکونا فبري فيوج

یہ ہوا کوئی بھی تھیں کا خوب قائم مقام ہی اور نکلنے کے ہوائی کاروں یعنی کھیتی باغ کے سپرنٹنڈنٹ صاحب سے ہوائی ملازم سرکاری واسطے سرکاری کام اور غیروہ کے اور سوائے ان کے کو کوئی ایک صفت بیس ہوتے خرید لینے سے بقیہ نقد حسب نوع فیل خرید کر سکتے ہیں یعنی نوع چار اونس کے تھیں کا چار روپیہ آٹھ آٹھ : آٹھ اونس کے تھیں کا آٹھ روپیہ آٹھ آٹھ : ایک پونڈ کے تھیں کا سولہ روپیہ آٹھ آٹھ :

اور موام الناس ہوائی کاروں یعنی کھیتی باغ کے سپرنٹنڈنٹ صاحب سے بقیہ نقد حسب نوع فیل خرید کر سکتے ہیں یعنی نوع چار اونس کے تھیں کا پانچ روپیہ آٹھ آٹھ : آٹھ اونس کے تھیں کا سولہ روپیہ آٹھ آٹھ : ایک پونڈ کے تھیں کا بیس روپیہ :

یہ ہوا نکلنے کے لئے لایہ دہاتی اور مہی ہوا خانہ سے بکتی ہے ماسوائے قیمت مذکورہ بالا کے محصول قاق چاہ اور آٹھ اونس کے تھیں کا آٹھ آٹھ : اور ایک پونڈ کے تھیں کا بارہ آٹھ :

## METEOROLOGICAL PUBLICATIONS FOR SALE.

At the Meteorological Office, No. 5, Russell Street; also at Messrs. Thacker, Spink & Co., at the prices specified below:—

- Report on the Meteorology of India in 1873, 4to, 69 pages text, 297 pages tables, 3 charts. R8.  
Report on the Meteorology of India in 1876, 4to, 97 pages text, 340 pages tables, 3 charts. R8.  
Report on the Meteorology of India in 1877, 4to, 193 pages text, 375 pages tables, 3 charts. R8.  
Report on the Meteorology of India in 1882, 4to, 158 pages text, 298 pages tables, 8 charts. R8.  
Report on the Meteorology of India in 1883, 4to, 150 pages text, 305 pages tables, 9 charts. R8.  
Report on the Meteorology of India in 1884, 4to, 153 pages text, 305 pages tables, 4 charts. R8.  
Indian Meteorological Memoirs, Vol. I, Part I, 4to, 118 pages, 9 plates. R2-8.  
Indian Meteorological Memoirs, Vol. I, Part II, 4to, 63 pages, 4 plates. R1-8.  
Indian Meteorological Memoirs, Vol. I, Part III, 4to, 86 pages, 2 plates. R1-8.  
Indian Meteorological Memoirs, Vol. I, Part IV, 4to, 62 pages, 8 plates. R1-8.

- Indian Meteorological Memoirs, Vol. I, Part V, 4to, 57 pages, 10 plates. R1-8.**
- Indian Meteorological Memoirs, Vol. I, Part VI, 4to, 68 pages. R1-8.**
- Indian Meteorological Memoirs, Vol. II, Part I, 4to, 78 pages, 9 plates. R1-8.**
- Indian Meteorological Memoirs, Vol. II, Part II, 4to, 69 pages, 9 plates. R1-8.**
- Indian Meteorological Memoirs, Vol. II, Part III, 4to, 68 pages, 3 plates. R1-8.**
- Indian Meteorological Memoirs, Vol. II, Part IV, 4to, 238 pages, 7 plates. R3.**
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- Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to, 87 pages, 4 plates. R2.**
- Report on the Madras Cyclone of May 1877, 4to, 117 pages text, 97 pages tables, 5 plates. R2-8.**
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*Secretary.*

CALCUTTA,  
The 23rd December, 1886.



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the proprietor, by whom it was never endorsed  
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stopped at the Public Debt Office, Bank of Ben-  
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BHAGWANT MANGESH WAGLE,

House No. 6, Kandewadi,  
Bombay.





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BHAGWANT MANGESH WAGLE,  
*House No. 6, Kandewadi,  
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**BHAGWANT MANGESH WAGLE,**  
*House No. 6, Kandewadi,  
Bombay.*

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**BARROW & ORR,**  
*Attorneys of the Executrix.*

6, OLD POST OFFICE STREET,  
CALCUTTA,  
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The 23rd December, 1886.

### IN THE GOODS OF EDWARD L<sup>e</sup> LIEVRE, DECEASED.

Pursuant to Section 320 of Act X of 1865, and Section 42 of Act XXVIII of 1866, notice is hereby given that all persons having claims against the Estate of Edward Le Lievre, late of Bhaugulpore in the Province of Bengal, Superintendent of District Works at Bhaugulpore, aforesaid, and in the Public Works Department of Bengal, deceased, should, on or before the 1st day of March, 1887, send in their claims to the undersigned on behalf of Ellen Le Lievre, the Executrix of the Will of the said deceased, to whom Probate has been granted of the said Will by the High Court at Calcutta, after which date no claims will be admitted.

BARROW & ORR,  
*Attorneys of the Executrix.*

6, OLD POST OFFICE STREET,  
CALCUTTA,  
The 18th January, 1887.

### IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL, ORDINARY ORIGINAL CIVIL JURISDICTION.

SUIT NO. 138 OF 1884.

*Sreemutty Grindra Mohinee Dasse,*

versus

*Shama Churn Ghose,*

and in the matter of Shama Churn Ghose, an Insolvent.

Notice is hereby given that on the 10th December, 1886, an order was made under the provision of Act XIV of 1882, Section 351, whereby the abovenamed Judgment-debtor, Shama Churn Ghose, of Harinavey, in the District of the 24-Pergunnahs, at present residing at Bowbazar in Calcutta, was declared an insolvent, and the undersigned was appointed Receiver of his estate.

All persons holding property of, or being indebted to, the said insolvent, are hereby required to make over such property, and to pay such debts, to the undersigned.

Notice is further given that Saturday, the 5th day of February, 1887, at the hour of 11 o'clock in the forenoon, has been fixed for proof of claims in the above matter, and that any person desirous of proving a claim against the estate of the said insolvent may appear before the presiding Judge in Insolvency on the day and at the hour aforesaid.

J. C. MACGREGOR,  
*Official Assignee & Receiver.*



*Abstract statement of receipts and disbursements of the Uncovenanted Service Family Pension Fund for the Fourth Quarter ending 30th April 1886, compared with the corresponding quarter of the year 1885.*

PARTICULARS.	For the 4th quarter ending 30th April 1886.	For the 4th quarter ending 30th April 1885.	Increase.	Decrease.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Balance at credit of the Fund on the Government books at the end of the previous quarter ... ..	92,34,885 11 5	87,96,803 14 8	4,37,881 12 9	...
<b>ADD RECEIPTS—</b>				
Subscriptions from February to April in the Widows' Fund	1,31,935 2 6	1,31,688 2 1	246 0 5	...
Ditto ditto Children's Fund	80,871 7 7	80,614 2 10	257 4 9	...
Entrance fees, &c., ditto	651 3 0	650 5 3	...	99 3 3
Amount of divisible surplus transferred to debit of subscribers...	1,247 4 0	171 12 0	1,075 8 0	...
Amount of fine imposed under Rule 40A	88 11 0	.....	88 11 0	...
Amount of pensions received with interest from Government of India for sums advanced to widows and orphans who came upon the Fund during the mutiny of 1857	2,961 2 0	2,961 2 0	.....	.....
Amount of interest received from Government of India for the year ending 31st March 1886	6,46,485 0 8	5,19,806 6 7	26,678 10 1	...
<b>Total Receipts</b> ...	<b>7,53,839 14 9</b>	<b>7,25,786 14 9</b>	<b>(a) 28,152 2 3</b>	<b>99 2 3</b>
<b>Grand Total</b> ...	<b>99,78,725 10 2</b>	<b>95,22,590 13 6</b>	<b>4,56,135 16 0</b>	<b>99 2 3</b>
<b>DEDUCT PAYMENTS—</b>				
Pensions payable to incumbents in the Widows' Fund	86,244 8 2	86,932 14 7	2,421 7 7	...
Ditto ditto Children's Fund	88,958 6 6	89,894 3 6	2,164 2 0	...
Establishment, including house-rent and contingencies...	8,781 8 9	8,516 16 4	214 9 5	...
Loss in exchange on remittances to England	14,319 7 8	12,128 0 2	2,191 7 4	...
Amount of fines written back	.....	146 2 11	.....	146 2 11
Amount of divisible surplus written back	48 0 0	.....	48 0 0	...
<b>Total Payments</b> ...	<b>1,74,401 12 11</b>	<b>1,67,508 5 6</b>	<b>(b) 7,039 11 4</b>	<b>146 2 11</b>
<b>Net balance in favour of the Fund</b> ...	<b>98,04,323 13 3</b>	<b>93,55,182 7 11</b>	<b>(c) 4,49,096 2 8</b>	<b>47 1 8</b>
Proportion of divisible surplus passed to subscribers	57,529 0 0	49,403 0 0	8,126 0 0	...
	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
Number of subscribers	1,530	1,035	1,534	1,011
Ditto of incumbents	422	632	405	608
Ditto of subscribers sharing abatements	1,118	750	1,096	732
	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
	17	24	14	28
	20	24	14	28

	Rs. A. P.
(a) Net increase in Total Receipts	28,152 2 3
(b) Ditto in Total Payments	7,039 11 4
(c) Ditto in Balance	4,49,141 5 6

G. W. MACLEOD.  
Accountant.

R. A. FINK.  
H. RONALDSON, } Auditors.

Published by order of the Directors.

Fund Office, the 31st December 1886.

G. W. MACLEOD, for Secretary.  
Uncovenanted Service Family Pension Fund.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 5, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

The following Government Promissory Notes which stood in the name of Radhica Chowdhurani and believed to have been last endorsed to Ramanath Barmana, belong to the estate of the late Hara Prosad Rai Chowdhuri, which has been taken charge of by the Court of Wards:—

No. 142493 of 1842-43, for	Rs 5,000
" 213461 of 1865, for	Rs 3,500
" 189539 of 1865, for	Rs 500

**TOTAL Rs 9,000**

Payment of the above notes and of the interest therefor have been stopped at the Public Debt Office, and application for the issue of duplicates will be shortly made in favour of Barada Prosad Rai Chowdhuri, son of the late Hara Prosad Rai Chowdhuri, and a ward under the Court of Wards. Any person purchasing any of the

above Promissory Notes will do so at his own risk.

A. FORBES,

Collector of 24-Pergunnahs.

ALIPUR,

The 28th January, 1887.

#### Lost.

The Government Promissory Note, No. 041444 (old number), and No. 203914 (new number), of the 4 per cent. loan of 1865, for Rs 500, last endorsed to Toolsee Ram, Banker, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and interest thereupon have been stopped both at the Public Debt Office, Bank of Bengal, and Branch Bank of Bengal, Patna, where it was enfaced for payment of interest, and application is about to be made for the issue of a duplicate in favour of the proprietor.

TOOLSEE RAM, Banker,  
Royal Artillery, Dinapur.

DINAPUR,

The 27th January, 1887.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 12, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

The following Government Promissory Notes which stood in the name of Radhica Chowdhurani and believed to have been last endorsed to Ramanath Barmana, belong to the estate of the late Hara Prosad Rai Chowdhuri, which has been taken charge of by the Court of Wards:—

No. 142493 of 1842-43,	for Rs. 5,000
" 213461 of 1865,	for Rs. 3,500
" 189539 of 1865,	for Rs. 500

TOTAL Rs. 9,000

Payment of the above notes and of the interest therefor have been stopped at the Public Debt Office, and application for the issue of duplicates will be shortly made in favour of Barada Prosad Rai Chowdhuri, son of the late Hara Prosad Rai Chowdhuri, and a ward under the Court of Wards. Any person purchasing any of the above Promissory Notes will do so at his own risk.

A. FORBES,  
Collector of 24-Pargunnahs.

ALIPUR,  
The 28th January, 1887.

#### Lost.

The Government Promissory Note, No. 041444 (old number), and No. 203914 (new number), of the 4 per cent. loan of 1865, for Rs. 500, last endorsed to Toolsee Ram, Banker, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and interest thereupon have been stopped both at the Public Debt Office, Bank of Bengal, and Branch Bank of Bengal, Patna, where it was enfaced for payment of interest, and application is about to be made for the issue of a duplicate in favour of the proprietor.

TOOLSEE RAM, Banker,  
Royal Artillery, Dinapur.

DINAPUR,  
The 27th January, 1887.

#### Burnt.

The Government Promissory Notes Nos. 017045 of 1835-36 and 002134 of 1832-33, of the 4 per cent., for Rs. 500 each, standing in the names of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, Administrators of Futtick Chunder Mookerjee, the proprietors, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietors.

BYKUNT NATH MOOKERJEE,  
Bares, Dist. Jessore, Sub-Divn. Bongong,  
At present residing at Saifgunge, Dist. Purnea.





# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 19, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### NOTICE.

ORIGINAL SUIT NO. 623 OF 1886.

Notice is hereby given that Roghoonathram, son of Lalchund, deceased, of Nazasurruck, town of Cuttack, has instituted a suit numbered as above in this Court against Bisoondyal and Hiranund for the recovery of Rs 231-2-6 only, due on account of cloth purchased by them, and that 7th March next has been fixed for the final hearing of the suit.

**RADHAKRISHNO SEN,**

*Judge of the Court of Small Causes,*

*Cuttack.*

CUTTACK,

COURT OF SMALL CAUSES,

*The 8th February, 1887.*

### PROMISSORY NOTES.

#### Lost.

The following Government Promissory Notes which stood in the name of Radhica Chowdhurani and believed to have been last endorsed to Ramanath Barmana, belong to the estate of the late Hara Prosad Rai Chowdhuri, which has been taken charge of by the Court of Wards:—

No. 142493 of 1842-43,	for Rs 5,000
„ 213461 of 1865,	for Rs 3,500
„ 189539 of 1865,	for Rs 500

**TOTAL Rs 9,000**

Payment of the above notes and of the interest therefor have been stopped at the Public Debt Office, and application for the issue of duplicates will be shortly made in favour of Barada Prosad Rai Chowdhuri, son of the late Hara Prosad Rai Chowdhuri, and a ward under the Court of

Wards. Any person purchasing any of the above Promissory Notes will do so at his own risk.

**A. FORBES,**

*Collector of 24-Pergunnahs.*

ALIPUR,

*The 28th January, 1887.*

#### Lost.

The Government Promissory Note, No. 041444 (old number), and No. 203914 (new number), of the 4 per cent. loan of 1865, for Rs 500, last endorsed to Toolsee Ram, Banker, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and interest thereupon have been stopped both at the Public Debt Office, Bank of Bengal, and Branch Bank of Bengal, Patna, where it was encashed for payment of interest, and application is about to be made for the issue of a duplicate in favour of the proprietor.

**TOOLSEE RAM, Banker,**

*Royal Artillery, Dinapur.*

DINAPUR,

*The 27th January, 1887.*

#### Burnt.

The Government Promissory Notes Nos. 017045 of 1835-36 and 002134 of 1832-33, of the 4 per cent., for Rs 500 each, standing in the names of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, Administrators of Futtick Chunder Mookerjee, the proprietors, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietors.

**BYKUNT NATH MOOKERJEE,**

*Barre, Dist. Jessore, Sub-Div. Bongong,  
At present residing at Saifgunge, Dist. Purnea.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 25, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### NOTICE.

ORIGINAL SUIT NO. 623 OF 1886.

Notice is hereby given that Roghoonathram, son of Lalchund, deceased, of Nazasurruck, town of Cuttack, has instituted a suit numbered as above in this Court against Bisoondyal and Hiranund for the recovery of Rs 231-2-6 only, due on account of cloth purchased by them, and that 7th March next has been fixed for the final hearing of the suit.

**RADHAKRISHNO SEN,**

*Judge of the Court of Small Causes,*

*Cuttack.*

CUTTACK,

COURT OF SMALL CAUSES,

The 8th February, 1887.

### PROMISSORY NOTES.

#### Burnt.

The Government Promissory Notes Nos. 017045 of 1835-36 and 002134 of 1832-33, of the 4 per cent., for Rs 500 each, standing in the names of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, Administrators of Futtick Chunder Mookerjee, the proprietors, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietors.

**BYKUNT NATH MOOKERJEE,**

*Barce, Dist. Jessore, Sub-Divn. Bongong,  
At present residing at Saifgunge, Dist. Purnea.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 12, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### HINDU FAMILY ANNUITY FUND.

#### NOTICE.

Copy of Resolution for withdrawal of money passed by the Subscribers to the above Fund at their Annual General Meeting held on 31st January, 1887, published under Rule 57 :—

That the Directors be authorised to draw, in the manner provided in Rule 55, Rs. 504 during the year 1887-88 from the Deposit Account with the Government of India, that this Resolution be published in the *Gazette of India* and the *Calcutta Gazette* and the *Statesman*, *Indian Mirror* and *Bangabasi Newspapers*, and that agreeably to Rule 58 a copy of it be also forwarded to the Government of India, Financial Department, together with copies of Rules 54 to 59.

RAMSHUNKER SEN,  
Chairman.

RAMAPRASANNA GHOSH,  
Secretary.

### PARTNERSHIP.

Notice is hereby given that the interest and responsibility of Mr. Damoder Jadowjee in our firm carrying on business at Tirhoot, Cawnpore, and Simla, have ceased from this date.

FRAMJEE & CO.

The 1st January, 1887.

#### NOTICE.

All persons being indebted to, or having claims against, the estates of the late Lieutenants H. H. Fullerton and J. S. Shaw, 2nd Battalion, The Queen's Royal West Surrey Regiment, are requested to communicate with the undersigned within two months from date of this publication, after which time no claims will be attended to.

C. E. ILBERTON, Major,  
2nd Battn., The Queen's R. W. Surrey Regt.,  
Presdt., Committee of Adjustment.

YEMETHEN,  
The 16th December, 1886.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

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CALCUTTA, SATURDAY, MARCH 19, 1887.

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

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## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PARTNERSHIP.

Notice is hereby given that the interest and responsibility of Mr. Damoder Jadowjee in our firm carrying on business at Tirhoot, Cawnpore, and Simla, have ceased from this date.

*The 1st January, 1887.*

FRAMJEE & CO.

### Lost

The Government Promissory Note No. A005079, dated 16th January, 1879, of the 4 per

cent. (reduced) loan of 1879, for Rs500, originally standing in the name of Srimati Sawdamini Dassi, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietress.

TROILUCKONATH BANERJEE,

*Mirsapur,  
N.W. Provinces.*





# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 26, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### HINDU FAMILY ANNUITY FUND.

#### NOTICE

Is hereby given to all concerned that at the Special General Meeting of the Subscribers to the Hindu Family Annuity Fund held on 31st January, 1887, the Rules of the Fund were so modified as to authorise (1) the framing of the Forms by the Directors in lieu of Forms A, B, C, and D, hitherto in use, (2) the issue of duplicate Entrance Certificates on payment of a fee, (3) the grant of free assurances, under certain circumstances and on prescribed conditions, to subscribers of at least ten years' standing, (4) the forfeiture of claims in default of payment of fines, (5) the levy of interest on certain arrears of subscriptions, and (6) the extension of the time for re-admission of defaulters to the benefits of the Fund.

RAMAPRASANNA GHOSH,  
*Secretary.*

RAMSHUNKER SEN,  
*Chairman.*

### PROMISSORY NOTES.

#### Lost

The Government Promissory Note No. A005079, dated 16th January, 1879, of the 4 per cent. (reduced) loan of 1879, for Rs500, originally standing in the name of Srimati Sawdamini Dassi, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietress.

TROILUCKONATH BANERJEE,

*Mirsapur,  
N.-W. Provinces.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 2, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### UNCOVENANTED SERVICE FAMILY PENSION FUND.

#### RESULT OF VOTES.

On the proposal submitted in Circular No. 3, dated 3rd December, 1886.

Subject.	Yes.	No.
Whether Rule 54 shall be amended by substituting 20 per cent. in place of 15 per cent. as the maximum proportion of the Reserve Fund to be available for the reduction of subscriptions on the 1st May of each year.	1,221	22

By order of the Directors,  
W. H. RYLAND,  
*Secretary.*

U. S. F. P. FUND,  
CALCUTTA,  
The 25th March, 1887.

### PROMISSORY NOTES.

#### Lost

The Government Promissory Note No. A005079, dated 16th January, 1879, of the 4 per cent. (reduced) loan of 1879, for Rs500, originally standing in the name of Srimati Sawdamini Dassi, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietress.

TROILUCKONATH BANERJEE,

Mirsapur,  
N.-W. Provinces.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

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CALCUTTA, SATURDAY, APRIL 9, 1887.

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

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## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### NOTICE.

The interest and responsibility of Mr. Henry John Cecil Turner in our firm ceased from the 31st December, 1886.

GRINDLAY & Co.

CALCUTTA,  
The 31st March, 1887.

### NOTICE.

The interest and responsibility of Mr. Henry John Cecil Turner in our firm ceased from the 31st December, 1886.

GRINDLAY, GROOM & Co.

BOMBAY,  
The 31st March, 1887.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 16, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

*Abstract statement of receipts and disbursements of the Uncovenanted Service Family Pension Fund for the First Quarter ending 31st July 1886, compared with the corresponding quarter of the year 1885.*

PARTICULARS.	For the 1st quarter ending 31st July 1886.	For the 1st quarter ending 31st July 1885.	Increase.		Decrease.	
	Rs. A. P.	Rs. A. P.	Rs.	A. P.	Rs.	A. P.
Balance at credit of the Fund on the Government books at the end of the previous quarter...	98,04,528 18 8	98,56,183 7 11	4,49,141	5 4		
<b>ADD RECEIPTS—</b>						
Subscriptions from May to July in the Widows' Fund	1,23,770 14 6	1,21,051 4 6	1,819	10 0		
Ditto ditto Children's Fund	83,414 15 9	82,391 0 9	1,025	15 0		
Entrance fees, &c., ditto	405 5 6	548 9 8			143	4 3
Amount of interest on arrears subscription	7 6 6				7	6 6
Amount of fines imposed under Rule 40A	486 9 5				486	9 5
Total Receipts	2,08,087 8 7	2,04,890 14 11	3,389	9 11	143	4 3
Grand Total	1,00,12,411 0 10	96,60,973 6 10	4,52,490	14 3	143	4 3
<b>DISBURSEMENTS—</b>						
Pensions to incumbents in the Widows' Fund	89,372 7 5	87,592 11 9	1,779	11 8		
Ditto ditto Children's Fund	62,360 10 8	69,044 7 2	3,306	3 6		
Establishment, including house-rent and contingencies	10,099 8 9	9,580 10 10	518	13 11		
Loss in exchange on remittances to England	17,696 7 8	12,644 7 7	5,052	0 1		
Amount of divisible surplus passed to qualified subscribers of over five years' standing in the Widows' Fund	1,42,228 4 0	1,35,517 15 0	6,705	5 0		
Ditto ditto Children's Fund	96,817 8 0	94,597 8 0	2,220	0 0		
Amount of fine written back		41 9 7			41	9 7
Total Disbursement	4,18,569 14 6	3,99,019 6 11	519,592	2 2	41	9 7
Balance in favour of the Fund	96,93,851 2 4	91,61,054 0 11	4,32,898	12 1	101	10 8
Proportion of divisible surplus passed to subscribers	56,700 3 0	57,539 0 0	2,221	3 0		
	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
Number of subscribers	1,537	1,092	1,535	1,016	3	6
Ditto of incumbents	429	645	411	608	18	37
Ditto of subscribers sharing abatement	1,108	776	1,116	768	36	20

a Net increase in Receipts ... 4,52,337 10 0  
b Ditto in Disbursements ... 19,640 8 7  
c Ditto in Balance ... 4,32,797 1 5

G. W. MACLEOD,  
Accountant.

R. A. FINK,  
H. RONALDSON, } Auditors.

Published by order of the Directors,  
W. H. RYLAND, Secretary,  
Uncovenanted Service Family Pension Fund.

FUND OFFICE, the 26th March 1887.



**NOTICE.**

The interest and responsibility of Mr. Henry John Cecil Turner in our firm ceased from the 31st December, 1886.

CALCUTTA,

The 31st March, 1887.

GRINDLAY & Co.

**NOTICE.**

The interest and responsibility of Mr. Henry John Cecil Turner in our firm ceased from the 31st December, 1886.

BOMBAY,

The 31st March, 1887.

GRINDLAY, GROOM & Co.

**PROMISSORY NOTES.****Lost.**

At Lucknow, a Government Promissory Note, No. 108529—090128, of the 4 per cent. loan of 1842-43, for Company's Rs2,000, standing in the name of Moolla Bebee, the proprietress, by

whom it was never endorsed to any other person. Payment of the above note and interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietress.

MOOLLA BEBEE.

Resident of Pobbhan Nugger.

LUCKNOW,

The 24th March, 1887.

**Lost or Stolen.**

The Government Promissory Note No. 183033, of the 4 per cent. of 1865, for Rs1,000, originally standing in the name of Bank of Bengal, and last endorsed to Panchanun Bhur, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

PUNCHANUN BHUR,

356, Upper Chitpore Road.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 23, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND IN THE MATTER OF THE BEHAR TRAMWAYS COMPANY, LIMITED.

Notice is hereby given that a petition for the winding up of the abovenamed Company by the Court was on the 18th day of April, 1887, presented to the High Court of Judicature at Fort William in Bengal by the Agra Bank, Limited, a creditor of the said Company. And that it has been directed that the said petition shall be heard before the said Court on the 2nd day of May, 1887, and any creditor or contributory of the said Company desirous to oppose the making of an order for the winding up of the said Company under the above Act should appear at the time of hearing, by himself or his advocate, attorney, or pleader for that purpose, and a copy of the petition will be furnished to any creditor or contributory of the said Company requiring the same on application to the said Court on payment of the charges for the same.

MORGAN & Co.,  
*Attorneys for the Agra Bank, Limited,  
the Petitioners.*

#### NOTICE.

The interest and responsibility of Mr. Henry John Cecil Turner in our firm ceased from the 31st December, 1886.

GRINDLAY & Co.  
CALCUTTA,  
*The 31st March, 1887.*

#### NOTICE.

The interest and responsibility of Mr. Henry John Cecil Turner in our firm ceased from the 31st December, 1886.

GRINDLAY, GROOM & Co.  
BOMBAY,  
*The 31st March, 1887.*

### PROMISSORY NOTES.

#### Lost.

At Lucknow, a Government Promissory Note, No. 108529—090128, of the 4 per cent. loan of 1842-43, for Company's Rs. 2,000, standing in the name of Moolla Bebee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietress.

MOOLLA BEBEE,  
*Resident of Pobhan Nuggur.*  
LUCKNOW,  
*The 24th March, 1887.*

#### Lost or Stolen.

The Government Promissory Note No. 183033, of the 4 per cent. of 1865, for Rs. 1,000, originally standing in the name of Bank of Bengal, and last endorsed to Panchanun Bhur, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

PUNCHANUN BHUR,  
*356, Upper Chitpore Road.*

**Stolen.**

The Government Promissory Notes, Nos. 127766 and 128336 of the 4 per cent. Loan of 1865, for Rs 500 each, originally standing in the name of Gopaul Chunder Sreemaney, and last endorsed to Tripoora Dossee, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

SRBEMUTTY TRIPOORA DOSSEE,

Witness :

AUKHOY RAM BARA,  
1st Ambarchak, Zillah Midnapore.

**Destroyed.**

The Government Promissory Notes, Nos. 227104, 227105, 227106, 227107, 234771, 234772 and 234773, at 4 per cent., loan of 1865, for Rs 1,000 each, originally standing in the name of the Bank of Bengal, and last endorsed to T. Lutchmana Pillai of Secunderabad, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for accrued interest, and for the issue of duplicates in favour of the proprietor, after two years from the date of last advertisement.

T. LUTCHMANA PILLAI,

17th Regt., Madras Native Infantry,

Basar Street,

Secunderabad, Deccan.

SECUNDERABAD,  
The 30th March, 1887.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, APRIL 30, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### NOTICE

Is hereby given, that the partnership heretofore subsisting between us the undersigned Arthur Henry Wheeler, Walter Edward Williams, and Emile Moreau, carrying on business as Newspaper Proprietors, Advertising Agents, and General Merchants, at 182 and 188, Strand, London, in England, and at Calcutta and Allahabad, in India, under the style or firm of Arthur H. Wheeler & Co., has been dissolved, by mutual consent, as and from the 1st day of January, 1886. All debts due to and owing by the said late firm of Europe will be received and paid by the said Arthur Henry Wheeler and Walter Edward Williams, and all debts due to and owing by the said late firm in India will be received and paid by the said Emile Moreau. Dated this 31st day of December, 1886.

A. H. WHEELER.  
WALTER E. WILLIAMS.  
E. MOREAU.

### PROMISSORY NOTES.

#### Lost.

At Lucknow, a Government Promissory Note, No. 108529—090128, of the 4 per cent. loan of 1842-43, for Company's Rs2,000, standing in the name of Moolla Bebee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietress.

MOOLLA BEBEE,  
*Resident of Pohnan Nagger.*

LUCKNOW.  
*The 24th March, 1887.*

#### Lost or Stolen.

The Government Promissory Note No. 183033, of the 4 per cent. of 1865, for Rs1,000, originally standing in the name of Bank of Bengal, and last endorsed to Panchanun Bhur, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

PUNCHANUN BHUR,  
*356, Upper Chitpore Road.*

#### Stolen.

The Government Promissory Notes Nos. 127766 and 128336 of the 4 per cent. loan of 1865, for Rs500 each, originally standing in the name of Gopaul Chunder Sreemaney, and last endorsed to Tripoora Dossee, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

SREEMUTTY TRIPOORA DOSSEE,

Witness :

AUKHOY RAM BARA,  
*Pitamberchak, Zillah Midnapore.*



**Destroyed.**

The Government Promissory Notes, Nos. 227104, 227105, 227106, 227107, 234771, 234772 and 234773, at 4 per cent, loan of 1865, for Rs. 1,000 each, originally standing in the name of the Bank of Bengal, and last endorsed to T. Lutchmana Pillai of Secunderabad, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal,

and application is to be made for accrued interest, and for the issue of duplicates in favour of the proprietor, after two years from the date of last advertisement.

T. LUTCHMANA PILLAI,  
*17th Regt., Madras Native Infantry,  
Basar Street,  
Secunderabad, Deccan.*

SECUNDERABAD,  
*The 30th March, 1887.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 7, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Stolen.

The Government Promissory Notes Nos. 127766 and 128336 of the 4 per cent. Loan of 1865, for Rs500 each, originally standing in the name of Gopaul Chunder Sreemaney, and last endorsed to Tripoora Dossee, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

SREEMUTTY TRIPOORA DOSSEE,

Witness :

AUKHOY RAM BARA,

Pitamberchak, Zillah Midnapore.

#### Destroyed.

The Government Promissory Notes, Nos. 227104, 227105, 227106, 227107, 234771, 234772 and 234773, at 4 per cent, loan of 1865, for Rs1,000 each, originally standing in the name of the Bank of Bengal, and last endorsed to T. Lutchmana Pillai of Secunderabad, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for accrued interest, and for the issue of duplicates in favour of the proprietor, after two years from the date of last advertisement.

T. LUTCHMANA PILLAI,

17th Regt., Madras Native Infantry,

Basar Street,

Secunderabad, Decca.

SECUNDERABAD.

The 30th March, 1867.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

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CALCUTTA, SATURDAY, MAY 14, 1887.

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

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## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

On 4th May, between Soortee Bagan and New China Bazar, a Government Promissory Note, No. 132109, of the 4 per cent. loan of 1842-43, for Rs 1,000, originally standing in the name of Bonomally Chatterjee, and last endorsed to Mo-

hendranath Sett, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and of the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

MOHENDRANATH SETT,  
1, Halliday Street.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 21, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

On 4th May, between Soortee Bagan and New China Bazar, a Government Promissory Note, No. 132109, of the 4 per cent. loan of 1842-43, for Rs. 1,000, originally standing in the name of Bonomally Chatterjee, and last endorsed to Mohendranath Sett, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and of the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

MOHENDRANATH SETT,  
1, Halliday Street.

#### Lost.

The Government Promissory Note No. A029389, of the reduced 4 per cent. loan of 1879, for Rs. 2,000, originally issued in the name of V. Krishnama Chariar, by whom it was never endorsed to any person, was lost sometime in December, 1885. Payment of the above, and of all interest due thereupon, has been since stopped at the Loan Office, Madras Bank, and application is about to be made to Government for the issue of a duplicate in favour of the proprietor.

V. KRISHNAMA CHARIAR.

MADRAS,  
The 18th April, 1887.





# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MAY 28, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

On 4th May, between Soortee Bagan and New China Bazar, a Government Promissory Note, No. 132109, of the 4 per cent. loan of 1842-43, for Rs1,000, originally standing in the name of Bonomally Chatterjee, and last endorsed to Mohendranath Sett, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and of the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

MOHENDRANATH SETT,  
*1, Halliday Street.*

#### Lost.

The Government Promissory Note No. A029389, of the reduced 4 per cent. loan of 1879, for Rs2,000, originally issued in the name of V. Krishnama Chariar, by whom it was never endorsed to any person, was lost some time in December, 1885. Payment of the above, and of all interest due thereupon, has been since

stopped at the Loan Office, Madras Bank, and application is about to be made to Government for the issue of a duplicate in favour of the proprietor.

V. KRISHNAMA CHARIAR.

MADRAS,

*The 18th April, 1887.*

#### Lost or Stolen.

The Government Promissory Note No. 225114, of the 4 per cent. loan of 1865, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed to Dhunjeebhoy Merwanjee Jeejeebhoy, and Peroshaw Merwanjee Jeejeebhoy, the proprietors, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietors.

DHUNJEEBHoy PEROSHAW,  
MERWANJEE JEEJEEBHoy,  
*Nesbit Road, Masagon,  
Bombay.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 4, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

The Government Promissory Note No. A029389, of the reduced 4 per cent. loan of 1879, for Rs. 2,000, originally issued in the name of V. Krishnama Chariar, by whom it was never endorsed to any person, was lost some time in December, 1885. Payment of the above, and of all interest due thereupon, has been since stopped at the Loan Office, Madras Bank, and application is about to be made to Government for the issue of a duplicate in favour of the proprietor.

V. KRISHNAMA CHARIAR.

MADRAS,

The 18th April, 1887.

#### Lost or Stolen.

The Government Promissory Note No. 225114, of the 4 per cent. loan of 1865, for Rs. 500, originally standing in the name of the Bank of Bengal, and last endorsed to Dhunjeebhoy Merwanjee Jeejeebhoy, and Peroshaw Merwanjee Jeejeebhoy, the proprietors, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of

Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietors.

DHUNJEEBHOY PEROSHAW,  
MERWANJEE JEEJEEBHOY,

Nesbit Road, Masagon,  
Bombay.

#### Lost or Stolen.

The Government Promissory Note, No. 019383, of 4 per cent. loan of 1835-36, for Rs. 1,500, standing in the name of Biddo Money Dossee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for accrued interest, and for the issue of a duplicate in favour of the proprietress, after two years from date of last advertisement.

Also Interest Draft No. 073306, issued on 6th April, 1887, and the amount of interest, Rs. 60, less income tax, Rs. 1-9.

BIDDO MONEY DOSSEE,

71, Chassadhobapara Street,  
Forasanko.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 11, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### IN THE MATTER OF THE INDIAN COMPANIES ACT, 1882, AND OF THE BEHAR TRAMWAYS COMPANY, LIMITED.

By an order made by the High Court of Judicature at Fort William in Bengal in the above matter, dated the 2nd day of June, 1887, on the petition of the Agra Bank, Limited, it was ordered that the said Behar Tramways Company, Limited, be wound up by the Court under the provisions of the Indian Companies Act, 1882, and it was further ordered that within twelve days from the date thereof that order be advertized once in the *Gazette of India*, once in the *Calcutta Gazette*, once in one of the *Calcutta* daily papers, and once in a *Behar* paper, and once in the *Pioneer*, and that three copies of that order be sent to the District Judge of Patna, one to be put up on the notice board of his court, one on the notice board of the Municipal Office, Patna, and one on the notice board of the Subordinate Judge's Court at Patna.

MORGAN & CO.,  
Petitioners' Attorneys.

### PROMISSORY NOTES.

#### Lost or Stolen.

The Government Promissory Note No. 225114, of the 4 per cent. loan of 1865, for Rs 500, originally standing in the name of the Bank of Bengal, and last endorsed to Dhunjeebhoy Merwanjee Jeejeebhoy, and Peroshaw Merwanjee Jeejeebhoy, the proprietors, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietors.

DHUNJEEBHOY PEROSHAW,  
MERWANJEE JEEJEEBHOY,  
Nesbit Road, Macagon,  
Bombay.

#### Lost or Stolen.

The Government Promissory Note, No. 019383, of 4 per cent. loan of 1835-36, for Rs 1,500, standing in the name of Biddo Money Dossee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for accrued interest, and for the issue of a duplicate in favour of the proprietress, after two years from date of last advertisement.

Also Interest Draft No. 073306, issued on 6th April, 1887, and the amount of interest, Rs 60, less income tax, Rs 1-9.

BIDDO MONEY DOSSEE,  
71, Chassadhobapara Street,  
Forasanko.

#### Stolen.

The Government Promissory Notes Nos. 135261-15483 and 172340-088871 of 1842-43 for Rs 2,000 and Rs 1,000; and 047894-021782 of 1854-55, for Rs 1,000, originally standing in the names of Ichharam Ramdial, Banarsee Das, the proprietor, and Lachmanpershad, respectively, and last endorsed to Banarsee Dass, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BANARSEE DASS,  
Contractor, E. I. Railway,  
Kooncha Chowdree, Oordoo Basar.

DELHI,  
The 2nd June, 1887.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 18, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL, ORDINARY ORIGINAL CIVIL JURISDICTION.

IN THE MATTER OF THE INDIAN COMPANIES  
ACT, 1882, AND IN THE MATTER OF THE  
BEHAR TRAMWAYS COMPANY,  
LIMITED.

Notice is hereby given that the Honorable Mr. Justice Trevelyan has fixed the 30th day of June, 1887, at 11 o'clock, at the Original Side of the High Court, Calcutta, as the time and place for the appointment of an Official Liquidator of the abovenamed Company. Dated this 14th day of June, 1887.

R. BELCHAMBERS,  
*Registrar.*

### PROMISSORY NOTES.

#### Lost.

Two Government Promissory Notes No. 044056—037586 of 1859-60, for ₹1,000, and No. 044057—037587 of 1859-60, for ₹1,000, of 5½ per cent. loan each standing in the name of the New Bank of Bombay, Limited, and last endorsed to Ardaseer Nowrojee Patch, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Banks of Bengal, Madras, and Bombay, respectively, and application is about to be made for the issue of duplicate notes in favour of the proprietor.

PIROJBAIE,  
*Wife of Merwanjee Nuseerwanjee Eyechi,  
Her + mark.*

Witnessed by—  
DAMODAR VRIJBHUCANDAS.

BOMBAY.  
The 9th June, 1887.

#### Lost or Stolen.

The Government Promissory Note, No. 019383, of 4 per cent. loan of 1835-36, for ₹1,500, standing in the name of Biddo Money Dossee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for accrued interest, and for the issue of a duplicate in favour of the proprietress, after two years from date of last advertisement.

Also Interest Draft No. 073306, issued on 6th April, 1887, and the amount of interest, ₹60, less income tax, ₹1-9.

BIDDO MONEY DOSSEE,  
*71, Chassadhobapara Street,  
Forasanko.*

#### Stolen.

The Government Promissory Notes Nos. 135261—15483 and 172340—088871 of 1842-43 for ₹2,000 and ₹1,000; and 047894—021782 of 1854-55, for ₹1,000, originally standing in the names of Ichharam Ramdial, Banarsee Das, the proprietor, and Lachmanpershad, respectively, and last endorsed to Banarsee Dass, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BANARSEE DASS,  
*Contractor, E. I. Railway,  
Keoncha Chuwadree, Oordeo Basar.*

DELHI,  
The 2nd June, 1887.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JUNE 25, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III.

Advertisements and Notices by Private Individuals and Corporations.

### PROMISSORY NOTES.

#### Lost.

Two Government Promissory Notes No. 044056—037586 of 1859-60, for Rs. 1,000, and No. 044057—037587 of 1859-60, for Rs. 1,000, of 5½ per cent. loan each standing in the name of the New Bank of Bombay, Limited, and last endorsed to Ardaseer Nowrojee Patch, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Banks of Bengal, Madras, and Bombay, respectively, and application is about to be made for the issue of duplicate notes in favour of the proprietor.

PIROJBAIE,

Wife of Merwanjee Nuseerwanjee Eyechi,

Her + mark.

Witnessed by—

DAMODAR VRIJBHUCANDAS.

BOMBAY,

The 9th June, 1887.

#### Stolen.

The Government Promissory Notes Nos. 135261—15483 and 172340—088871 of 1842-43 for Rs. 2,000 and Rs. 1,000; and 047894—021782 of 1854-55, for Rs. 1,000, originally standing in the

names of Ichharan Ramdial, Banarsee Das, the proprietor, and Lachmanpershad, respectively, and last endorsed to Banarsee Dass, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BANARSEE DASS,

Contractor, E. I. Railway,

Kooncha Chowdree, Oordoo Bazar.

DELHI,

The 2nd June, 1887.

#### Stolen.

The Government Promissory Note, No. 170948—025301, of the 4 per cent. loan of 1842-43, for Rs. 1,600, originally standing in the name of Messrs. Arbuthnot & Co., and last endorsed to M. La Bouchardiere, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Offices, Banks of Madras and Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

M. LA BOUCHARDIERE,

Trevandrum.





# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 15, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

### LEGISLATIVE DEPARTMENT.

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 14th January, 1887, and is hereby promulgated for general information:—

#### ACT NO. I OF 1887.

*An Act for further shortening the language used in Acts of the Governor General in Council, and for other purposes.*

WHEREAS it is expedient further to shorten the language used in Acts made by the Governor General in Council, and to make certain further provisions relating to those Acts and to Regulations under the Statute 33 Victoria, chapter 3, section 1; It is hereby enacted as follows:—

1. (1) This Act may be called the General Clauses Act, 1887; Title and commencement. and

(2) It shall come into force at once.

#### PART I.

##### ADDITIONAL CLAUSES.

2. This Part shall apply to this Act and to all Acts made by the Governor General in Council under the Indian Councils Act, 1861, after the passing of this Act. Application of this Part.

3. In any Act to which this Part applies, unless there is something repugnant in the subject or context,— Definitions.

(1) "abet," with its grammatical variations and cognate expressions, shall have the same meaning as in the Indian Penal Code: 25 Vic., 1861. of 1860.

(2) "Chapter", "Part" and "schedule" shall denote, respectively, a Chapter and Part of, and schedule to, the Act in which the word occurs:

(3) "sub-section" shall denote a sub-section of the section in which the word occurs:

(4) "commencement", used with reference to an Act, shall mean the day on which the Act comes into force:

(5) "financial year" shall mean the year commencing on the first day of April:

(6) "local authority" shall mean a municipal committee, district board, body of port commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund:

(7) "ship" shall include every description of vessel used in navigation not exclusively propelled by oars:

(8) "master", used with reference to a ship, shall mean any person (except a pilot or harbour-master) having for the time being control or charge of the ship:

(9) "offence" shall mean any act or omission made punishable by any law for the time being in force:

(10) "public nuisance" shall have the meaning assigned to that expression in section 268 of the Indian Penal Code:

(11) "registered" shall mean registered under the law for the time being in force for the registration of documents:

(12) "sign", with its grammatical variations and cognate expressions, shall, with reference to a person who is unable to write his name, include "mark", with its grammatical variations and cognate expressions:

(13) "value", used with reference to a suit, shall mean the amount or value of the subject-matter of the suit: and

(14) "write", with its grammatical variations and cognate expressions, shall include "print" and "lithograph", with their grammatical variations and cognate expressions.

4. Where, by an Act to which this Part applies and which is not to come into force immediately on the passing thereof, a power is conferred on the Governor General in Council or on a Local Government or a High Court to make rules, or to issue orders with respect to the application of the Act, or with respect to the establishment of any Court or office or the appointment of any Judge or officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under the Act, the power may be exercised at any time after the passing of the Act, but rules or orders so made or issued shall not take effect till the commencement of the Act.

5. Any power conferred on the Governor General in Council or on a Local Government by an Act to which this Part applies may be exercised from time to time as occasion requires.

6. Where, by an Act to which this Part applies, a power to make rules is expressed to be given subject to the condition of the rules being made after previous publication, the following provisions shall apply, namely:—

(1) The authority having power to make the rules shall, before making them, publish a draft of the proposed rules for the information of persons likely to be affected thereby.

(2) The publication shall be made in such manner as that authority deems to be sufficient, or, if the condition with respect to previous publication so requires, in such manner as the Governor General in Council or the Local Government prescribes.

(3) There shall be published with the draft a notice specifying a date at or after which the draft will be taken into consideration.

(4) The authority having power to make the rules, and, where the rules are to be made with the sanction, approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which may be received by the authority having power to make the rules from any person with respect to the draft before the date so specified.

(5) The publication in an official Gazette of a rule purporting to have been made in exercise of a power to make rules after previous publication shall be conclusive proof that the rule has been duly made.

7. (1) Where a limited time from any date or from the happening of any event is appointed or allowed, by an Act to which this Part applies, for the doing of any act or the taking of any proceeding in a Court or office, and the last day of the limited time is a day on which the Court or office is closed, then the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open.

(2) Where, by an Act to which this Part applies, any act or proceeding is directed or allowed to be done or taken in a Court or office on a certain day, then, if the Court or office is closed on that day, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open.

(3) This section does not apply to any act or proceeding to which the Indian Limitation Act, XV of 1877, applies.

8. Where an act or omission constitutes an offence under two or more enactments of which either or any is an Act to which this Part applies, the offender shall be liable to be prosecuted and punished under either or any of those enactments, but shall not be liable to be punished twice for the same offence.

## PART II.

### SUPPLEMENTAL PROVISIONS.

9. The words "wholly or partially" shall be inserted before the word "repealed" in clause (1) of section 3 of the General Clauses Act, 1868, and shall be deemed to have been there from the commencement of that Act. <sup>I of 1868.</sup>

10. The provisions of this Act and of the General Clauses Act, 1868, shall, so far as they can be made applicable, apply to all Regulations which may receive the assent of the Governor General under the Statute 33 Victoria, chapter 3, section 1, after the commencement of this Act. <sup>I of 1868.</sup>

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill for further shortening the language used in Acts of the Governor-General in Council, and for other purposes, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 7th January, 1887:—

### LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill for further shortening the language used in Acts of the Governor-General in Council, and for other purposes, was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

From Secretary to Chief Commissioner, Assam, No. 2153, dated 7th October, 1886 [Paper No. 1].  
 From Secretary to Chief Commissioner, Coorg, No. 1904—3946, dated 22nd October, 1886 [Paper No. 2].  
 From Chief Commissioner, Ajmere-Merwara, No. 1242—690-II, dated 23rd October, 1886 [Paper No. 3].  
 From Chief Secretary to Government, Madras, No. 2936, dated 30th October, 1886, and enclosures [Papers No. 4].  
 From Under Secretary to Chief Commissioner, Central Provinces, No. 5127—303, dated 11th November, 1886 [Paper No. 5].  
 From Secretary to Government, North-Western Provinces and Oudh, No. 867—VII-347, dated 16th November, 1886, and enclosures [Papers No. 6].  
 From Secretary for Berar to Resident, Hyderabad, No. 428G., dated 17th November, 1886 [Paper No. 7].  
 From Chief Secretary to Government, Bengal, No. 3519, dated 1st December, 1886, and enclosures [Papers No. 8].  
 From Secretary to Chief Commissioner, Burma, No. 79—28L., dated 3rd December, 1886 [Paper No. 9].  
 From Registrar, High Court, Calcutta, No. 2734, dated 8th December, 1886 [Paper No. 10].  
 From Acting Under Secretary to Government, Bombay, No. 7190, dated 10th December, 1886, and enclosures [Papers No. 11].

2. We have removed the definition of "soldier" from section 3 of the Bill and struck out section 10 which was consequential on that definition. It appears to us that the substance of the definition and section will be more appropriately inserted in the Cantonments Bill, which is now under the consideration of the Government, than in this Bill, which is to be of general application.

3. The publication ordered by the Council has been made as follows:—

#### *In English.*

<i>Gazette.</i>	<i>Date.</i>
Gazette of India . . . . .	4th, 11th and 18th September, 1886.
Fort Saint George Gazette . . . . .	24th September, 1886.
Bombay Government Gazette . . . . .	9th September, 1886.
Calcutta Gazette . . . . .	15th, 22nd and 29th September, 1886.
North-Western Provinces and Oudh Government Gazette . . . . .	11th, 18th and 25th September, 1886.
Punjab Government Gazette . . . . .	9th, 16th and 23rd September, 1886.
Central Provinces Gazette . . . . .	11th, 18th and 25th September, 1886.
Burma Gazette . . . . .	25th September, and 2nd and 9th October, 1886.
Assam Gazette . . . . .	25th September, and 2nd and 9th October, 1886.
Coorg District Gazette . . . . .	1st October, 1886.

#### *In the Vernaculars.*

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Bombay . . . . .	Maráthi . . . . .	9th December, 1886.
	Gujaráthi . . . . .	2nd December, 1886.
	Kanarese . . . . .	18th November, 1886.
Burma . . . . .	Burmese . . . . .	4th, 11th and 18th December, 1886.

4. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

ANDREW R. SCOBLE.

J. B. PEILE.

W. W. HUNTER.

*The 4th January, 1887.*

S. HARVEY JAMES;

*Offg. Secretary to the Government of India.*

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## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 14th January, 1887, and is hereby promulgated for general information:—

## ACT NO. II OF 1887.

*An Act to amend the Sea Customs Act, 1878, the Excise Act, 1881, and the Indian Tariff Act, 1882.*

WHEREAS it is expedient to amend the Sea Customs Act, 1878, the Excise Act, 1881, and the Indian Tariff Act, 1882;

It is hereby enacted as follows:—

*Sea Customs Act, 1878.*

1. (1) In clause (b) of the second paragraph of section 144 of the Sea Customs Act, 1878, there shall be inserted after the word "unless" the word "either", and after the word "destination" the following, namely:—

"or the delivery of the spirit into a warehouse appointed in this behalf by the Local Government having authority at that port".

(2) In the third paragraph of the same section of the same Act the following shall be substituted for the word "paid", namely:—

"so paid or the spirit so delivered."

2. In section 146 of the same Act, for the word "shall" in each of the two places where that word occurs, the word "may" shall be substituted.

3. (1) To section 148 of the same Act the following words shall be prefixed, namely:—

"Notwithstanding anything in the Indian Tariff Act, 1882,".

(2) To the same section of the same Act the following shall be added, namely:—

"Provided that the Local Government may authorise the import of such spirit without the

payment of that duty at the port of importation when the spirit is to be delivered into a warehouse appointed by the Local Government in this behalf, and the excise-duty thereon is to be paid on the removal of the spirit from a warehouse so appointed."

4. (1) To section 151 of the same Act the following words shall be prefixed, namely:—

"Notwithstanding anything in the Indian Tariff Act, 1882,".

XXI of 1882.

(2) After the same section of the same Act the following shall be added, namely:—

"Provided that the Local Government may authorise the import of such spirit without the payment of the differential duty at the port of importation when the spirit is to be delivered into a warehouse appointed by the Local Government in this behalf, and the differential duty is to be paid on the removal of the spirit from a warehouse so appointed."

*Excise Act, 1881.*

5. For section 23 of the Excise Act, 1881, the following shall be substituted, namely:—

"23. (1) A person shall not bring into any territory to which this Act extends any spirit manufactured at any place in India beyond the limits of British India, until he has obtained a pass therefor from such officer as the Local Government from time to time appoints in this behalf, and has paid in respect thereof—

"(a) if the Local Government has fixed a duty under clause (a) of section 7 for like spirit manufactured in the part of the territory into which the spirit is to be brought, that duty, or

"(b) if the Local Government has not fixed a duty under that clause for like spirit manufactured in that part, a duty at such rate as the Local Government from time to time prescribes in this behalf, not exceeding the highest rate leviable, under the law for the time being in force, on spirit imported into British India by sea.

"(2) The provisions of sub-section (1) with respect to spirit shall apply to fermented liquor

also, with this modification that the duty to be paid in respect of the liquor shall be the duty leviable on like liquor under the Indian Tariff Act, 1882.

XI of 1882.

"(3) If any question arises as to the duty to be charged on any spirit or fermented liquor under this section, the decision of the Local Government thereon shall be final."

6. (1) In clause (c) of section 36 of the same Act the words "or fermented liquor" shall be inserted after the words "any spirit".

Amendment of section 36.

(2) In the last paragraph of the same section of the same Act the words "or fermented liquor" shall be inserted between the words "the spirit" and the words "together with".

#### Indian Tariff Act, 1882.

XI of 1882.

7. In the preamble to the Indian Tariff Act, 1882, the words "and for fixing a maximum duty of excise on spirit manufactured in British India" are repealed.

Repeal of portion of preamble.

8. To section 7 of the same Act the following Addition to section 7. shall be added, namely:—

"Nothing in this section applies to spirit which is exported under bond for excise-duty from one customs-port to another customs-port under the provisions of Chapter XIV of the Sea Customs Act, 1878.

VIII of 1878.

9. In No. 2 of the Second Schedule to the same Act—

Amendment of Sec. and Schedule.

(a) "Rs. 5" shall be substituted for "Rs. 4" in the fifth column as the rate of duty to be levied and collected per Imperial Gallon or six quart bottles of "Liqueurs"; and

"(b) for the following, namely:—

No.	Names of Articles.	Per	Tariff valuation.	Rate of duty.
•	•	•	•	•
	Spirit when so used in a proportion of twenty per cent. and upwards.	Impl. Gallon or six quart bottles of the strength of London proof.	...	Rs. 4, and the duty to be increased in proportion as the strength of the spirit exceeds London proof.
	Spirit, perfumed, in wood, or in bottles containing more than four ounces.	Ditto	...	
	Spirit, other sorts.	Ditto	...	

there shall be substituted the following, namely:—

No.	Names of Articles.	Per	Tariff valuation.	Rate of duty.
•	•	•	•	•
	Spirit when so used in a proportion of twenty per cent. and upwards.	Impl. Gallon or six quart bottles of the strength of London proof.	...	Rs. 5, and the duty to be increased or reduced in proportion as the strength of the spirit exceeds or is less than London proof.
	Spirit, perfumed, in wood or in bottles.	Impl. Gallon or six quart bottles.	...	
	Spirit, other sorts.	Impl. Gallon or six quart bottles of the strength of London proof.	...	

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor General on the 14th January, 1887, and is hereby promulgated for general information :—

## ACT NO. III OF 1887.

*An Act to amend the Indian Evidence Act, 1872.*

WHEREAS it is expedient that Revenue-officers should not be compelled to say whence they obtain information with respect to offences

against the public revenue ; It is hereby enacted as follows :—

1. The following section shall be substituted  
New section substi. for section 125 of the  
tuted for section 125 of Indian Evidence Act, 1872, 1 of 1872.  
the Evidence Act. namely :—

"125. No Magistrate or Police-officer shall be  
Information as to compelled to say whence  
commission of offences. he got any information as  
to the commission of any  
offence, and no Revenue-officer shall be compelled  
to say whence he got any information as to the  
commission of any offence against the public re-  
venue.

"Explanation.—'Revenue-officer' in this sec-  
tion means any officer employed in or about the  
business of any branch of the public revenue."

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

The following Report of the Select Committee on the Bill to amend the Indian Evidence Act, 1872, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 7th January, 1887 :—

## LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which

From Mr. Venkatrao Ramaji Gutikar, Pleader, District Court, Belgaum [Paper No. 1].  
From Registrar, High Court, Calcutta, No. 2269, dated 14th September, 1886 [Paper No. 2].  
From Secretary to Chief Commissioner, Assam, No. 2043, dated 25th September, 1886 [Paper No. 3].  
From Chief Secretary to Government, Madras, No. 2526, dated 22nd September, 1886, and enclosures [Papers No. 4].  
From Secretary for Berar to Resident, Hyderabad, No. 373 G., dated 13th October, 1886 [Paper No. 5].  
From Chief Commissioner, Ajmere-Merwara, No. 1220—590-IV, dated 22nd October, 1886 [Paper No. 6].  
From Secretary to Chief Commissioner, Coorg, No. 1908—3716, dated 22nd October, 1886 [Paper No. 7].  
Endorsement by Acting Chief Secretary to Government, Madras, No. 2891, dated 26th October, 1886, and enclosures [Papers No. 8].  
From Chief Secretary to Government, Bengal, No. 1987 J. D., dated 1st November, 1886 [Paper No. 9].  
From Secretary to Government, Punjab, No. 1057, dated 5th November, 1886, and enclosures [Papers No. 10].  
From Acting Under Secretary to Government, Bombay, No. 6285, dated 2nd November, 1886, and enclosures [Papers No. 11].  
From Under Secretary to Chief Commissioner, Central Provinces, No. 5080—291, dated 5th November, 1886 [Paper No. 12].  
From Under Secretary to Government, North-Western Provinces and Oudh, No. 866—VII-341, dated 13th November, 1886 [Paper No. 13].  
From Secretary to Chief Commissioner, Burma, No. 565—25 L., dated 17th November, 1886, and enclosure [Papers No. 14].

amble ; and, following the plan of the Act, we have made the definition of "Revenue-officer" an *explanation* to the section instead of a sub-section thereof.

the Bill to amend the Indian Evidence Act, 1872, was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

2. We have so altered the section which it was proposed by the Bill as introduced to substitute for section 125 of the Indian Evidence Act, 1872, as to limit its operation to the purpose stated in the preface of "Revenue-officer"

3. The publication ordered by the Council has been made as follows:—

<i>In English.</i>	
<i>Gazette.</i>	<i>Date.</i>
Gazette of India . . . . .	14th, 21st and 28th August, 1886.
Fort Saint George Gazette . . . . .	3rd September, 1886.
Bombay Government Gazette . . . . .	19th August, 1886.
Calcutta Gazette . . . . .	25th August, and 1st and 8th September, 1886.
North Western Provinces and Oudh Government Gazette . . . . .	21st and 28th August, and 4th September, 1886.
Punjab Government Gazette . . . . .	19th and 26th August, and 2nd September, 1886.
Central Provinces Gazette . . . . .	21st and 28th August, and 4th September, 1886.
Burma Gazette . . . . .	4th, 11th and 18th September, 1886.
Assam Gazette . . . . .	4th, 11th and 18th September, 1886.
Coorg District Gazette . . . . .	1st October, 1886.

<i>In the Vernaculars.</i>		
<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Bombay . . . . .	Maráthi . . . . .	16th September, 1886.
	Gujaráthi . . . . .	23rd September, 1886.
	Kanarese . . . . .	30th September, 1886.
Bengal . . . . .	Bengali . . . . .	21st and 28th September, and 5th October, 1886.
	Hindi . . . . .	28th September, and 5th and 12th October, 1886.
	Uriya . . . . .	30th September, and 7th and 14th October, 1886.
North-Western Provinces and Oudh . . . . .	Urdu . . . . .	11th, 18th and 25th September, 1886.
Burma . . . . .	Burmese . . . . .	25th September, and 2nd and 9th October, 1886.
Assam . . . . .	Bengali . . . . .	2nd October, 1886.

4. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

ANDREW R. SCOBLE.

J. B. PEILE.

W. S. WHITESIDE.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The 4th January, 1887.

## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor General on the 14th January, 1887, and is hereby promulgated for general information:—

## ACT NO. IV OF 1887.

*An Act to alter the constitution of the body corporate known as the Trustees of the Indian Museum, and to confer certain additional powers on that body.*

WHEREAS it is expedient to alter the constitution of the body corporate known as the Trustees of the Indian Museum, and to amend the law relating to the powers of the said Trustees; It is hereby enacted as follows:—

Title and commencement.

Act, 1887; and

(2) It shall come into force at once.

Repeal of certain sections of Act XXII of 1876.

Substitution of new sections for sections repealed.

1. (1) This Act may be called the Indian Museum

2. Sections 3, 4 and 5 of the Indian Museum Act, 1876, are repealed.

3. For those sections the following shall be substituted, namely:—

*"Incorporation of the Trustees.*

Constitution and incorporation of the Trustees of the Indian Museum.

"3. The Trustees of the said Indian Museum shall be—

(a) the person for the time being holding the office of Accountant General of Bengal;

(b) five other persons to be appointed by the Governor General in Council;

(c) five other persons to be appointed by the Lieutenant-Governor of Bengal;

(d) five other persons to be appointed by the Council of the Asiatic Society of Bengal; and

(e) five other persons to be appointed by the Trustees;

and the said Trustees shall be a body corporate, by the name of the Trustees of the Indian Museum, and shall have perpetual succession and a common seal.

"4. All the powers of the said body corporate may be exercised so long and so often as there are nine members thereof.

Number of corporators.

"5. If a trustee appointed under section 3 dies, or is absent from the meetings of the Trustees for more than twelve consecutive months, or desires to be discharged, or refuses or becomes incapable to act, or becomes Accountant General of Bengal, then the authority which appointed the trustee may appoint a new trustee in his place."

Power to appoint new Trustees.

4. (1) For the purposes of the Indian Museum Act, 1876, as amended by XXII of 1876, this Act—

Continuance of existing Trustees.

(a) the persons nominated by the Governor General in Council under the Indian Museum Act, 1876, and now holding office as Trustees, shall be deemed to be persons appointed by the Governor General in Council under section 3 of that Act as amended by this Act;

(b) the President of the Asiatic Society of Bengal, and the other members of the Council of that Society nominated by that Council under the Indian Museum Act, 1876, and now holding office as Trustees, shall be deemed to be persons appointed by the Council of the Asiatic Society of Bengal under the said section; and

(c) the persons elected and appointed by the Trustees under the said Act, and now holding office as Trustees, shall be deemed to have been appointed by the Trustees under the said section.

(2) The Secretary to the Government of India and the Superintendent of the Geological Survey of India shall cease to be *ex officio* members of the said body corporate.

Power to Trustees to keep collections not belonging to them.

5. Notwithstanding anything in the Indian Museum Act, 1876,—

XXII of 1876.

(a) the Trustees of the Indian Museum, if they think fit, may, with the previous sanction of the Governor General in Council, and subject in each case to such conditions as he may approve and to such rules as he may prescribe, assume the custody and administration of collections which are not the property of the Trustees for the pur-

poses of their trusts in that Act mentioned, and keep and preserve the collections either in the Indian Museum or elsewhere; and

- (b) in the event of the trust constituted by that Act being determined, collections of which the Trustees have assumed the custody and administration under the foregoing part of this section shall not by reason of their then being in the Indian Museum become the property of the Government of India.

And whereas it is provided in the Indian Museum Act, 1876, that the Trustees of the Indian Museum shall have the exclusive possession, occupation and control, for the purposes of their trusts in that Act mentioned, of the whole of the building called the Indian Museum, except certain portions thereof set apart for other purposes; and whereas the Trustees are by virtue of that provision in possession of the property described in the schedule to this Act; It is hereby enacted as follows:—

6. The Trustees may, with the previous sanction of the Governor General-in Council, and subject to such conditions as he may approve, deliver possession of the property in their possession.

session of the whole or any part of that property to such person as the Lieutenant-Governor of Bengal may appoint in that behalf.

### THE SCHEDULE

Land bounded on the north by a straight line drawn between the east and the west boundaries parallel to the main south wall of the Museum at a distance of twenty-five feet from the said wall; on the west and south-west by the Chowringhee Road and the walls of the premises known as No. 29, Chowringhee Road; on the south by Kyd Street; and on the east by the walls of the premises known as No. 15, Kyd Street, and No. 4, Chowringhee Lane; measuring in all four acres, three roods and sixteen perches; together with all buildings, roads and tanks existing or erected thereon, and all easements appertaining thereto.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to alter the constitution of the body corporate known as the Trustees of the Indian Museum, and to confer certain additional powers on that body, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th January, 1887:—

### LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to alter the constitution of the body corporate known as the Trustees of the Indian Museum, and to confer certain additional powers on that body, was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

2. We have at the instance of the Trustees of the Indian Museum and the Government of Bengal provided that, if a trustee absents himself from the meetings of the Trustees for more than twelve consecutive months, the authority which appointed him may appoint a new trustee in his place.

3. In section 6 of the Bill we have inserted words providing for the contingency of a part only of the scheduled property being required by the Bengal Government.

4. The publication ordered by the Council has been made as follows:—

#### In English.

Gazette.	Date.
Gazette of India . . . . .	12th, 19th and 26th June, 1886.
Calcutta Gazette . . . . .	7th July, 1886.

#### In the Vernacular.

Province.	Language.	Date.
Bengal . . . . .	Bengali . . . . .	27th July, and 3rd and 10th August, 1886.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

J. B. PEILE.

A. COLVIN.

ANDREW R. SCOBLE.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The 4th January, 1887.



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JANUARY 29, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART IV.

Acts of the Governor General's Council assented to by the Governor General.

### GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 28th January, 1887, and is hereby promulgated for general information:—

#### ACT NO. V OF 1887.

*An Act to amend the Code of Criminal Procedure, 1882.*

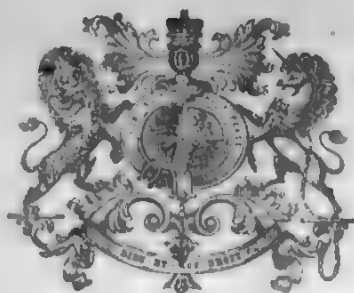
WHEREAS it is expedient to amend the Code of Criminal Procedure, 1882; It is hereby enacted as follows:—

1. In the definition of "Officer in charge of Amendment of sec. a Police-station" in section 4, clause (o), of the said Code there shall be substituted for the word "therefrom" the words "from the station-house", and for the words "present at the Police-station" the words "present at the station-house".

2. In section 312 of the said Code the word Amendment of sec. "four" shall be substituted for the word "two".

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 12, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART IV.

Acts of the Governor General's Council assented to by the Governor General.

### GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th February, 1887, and is hereby promulgated for general information:—

#### ACT NO. VI OF 1887.

*An Act to amend the Indian Companies Act, 1882.*

WHEREAS it is expedient to amend the Indian Companies Act, 1882, in manner hereinafter appearing; It is hereby enacted as follows:—

I. After section 200 of the Indian Companies Act, 1882, the following section shall be inserted, namely:—

"200A. (1) In the distribution of the assets of any company being wound up under this Act, there shall be paid in priority to all other debts—

"(a) all revenue, taxes, cesses and rates, whether payable to Her Majesty or to a local authority, due from the company at the date of the commence-

ment of the winding-up, and having become due and payable within the twelve months next before that date;

"(b) all wages or salary of any clerk or servant in respect of services rendered to the company within the two months next before the commencement of the winding-up, not exceeding one thousand rupees for each clerk or servant; and

"(c) all wages of any labourer or workman, not exceeding five hundred rupees for each, whether payable for time or piece-work, in respect of services rendered to the company within the two months next before the commencement of the winding-up.

"(2) The foregoing debts shall rank equally among themselves, and shall be paid in full, unless the assets of the company are insufficient to meet them, in which case they shall abate in equal proportions among themselves.

"(3) Subject to the retention of such sums as may be necessary for the cost of administration or otherwise, the liquidator or official liquidator shall discharge the foregoing debts forthwith, so far as the assets of the company are and will be sufficient to meet them, as and when the assets come into the hands of the liquidator or official liquidator."

S. HARVEY JAMES, .

*Offg. Secretary to the Government of India.*



The following Report of the Select Committee on the Bill to amend the Indian Companies Act, 1882, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 7th January, 1887 :—

### LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to amend

the Indian Companies Act, 1882, was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

From Secretary to Chief Commissioner, Assam, No. 1657, dated 14th August, 1886 [Paper No. 1].  
 From Registrar, High Court, Calcutta, No. 2097, dated 25th August, 1886 [Paper No. 2].  
 From Secretary for Berar to Resident, Hyderabad, No. 290 G., dated 25th August, 1886 [Paper No. 3].  
 From Under Secretary to Chief Commissioner, Central Provinces, No. 3980—233, dated 31st August, 1886 [Paper No. 4].  
 From Secretary to Chief Commissioner, Burma, No. 810—22 L., dated 31st August, 1886 [Paper No. 5].  
 From Chief Commissioner, Ajmere-Merwara, No. 1055—690-II, dated 14th September, 1886 [Paper No. 6].  
 From Secretary to Chief Commissioner, Coorg, No. 1670—3256, dated 14th September, 1886 [Paper No. 7].  
 From Chief Secretary to Government, Madras, No. 2546, dated 23rd September, 1886, and enclosures [Papers No. 8].  
 From Secretary to Government, North-Western Provinces and Oudh, No. 767—VII—328-10, dated 2nd October, 1886 [Paper No. 9].  
 From Acting Under Secretary to Government, Bombay, No. 5813, dated 12th October, 1886, and enclosures [Papers No. 10].  
 Endorsement by Acting Chief Secretary to Government, Madras, No. 2863, dated 23rd October, 1886, and enclosures [Papers No. 11].  
 From Chief Secretary to Government, Bengal, No. 3322 J., dated 19th November, 1886, and enclosures [Papers No. 12].

the Indian Companies Act, 1882, was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

terms to fiscal debts due from a bankrupt to the Crown, we deem it desirable to give priority in similar terms to like debts due to the Crown from a Company which is being wound up. This saving may not be absolutely necessary in the case of debts due to the Crown (L. R. 9 Ch. D. 469 and 5 Bom. H. C. R. 23); but it is proposed, as in the Bankruptcy Bill, to give to rates and taxes payable to local authorities the same priority as to Crown debts, and in the case of some at least of those rates and taxes an express declaration of their priority will be necessary.

3. The salaries of clerks and servants being paid monthly in this country, we consider it will be sufficient to give priority to those salaries for the same time, namely, two months, as priority is given to wages of labourers and workmen by the Companies Act, 1883 (46 & 47 Vic., c. 28). But we agree with the Bengal Chamber of Commerce, the Calcutta Trades Association and other authorities that in this country it is proper to give priority to the salary of a clerk or servant for a larger sum than in England, and we have proposed to raise to Rs. 1,000 the limit up to which the salary of a clerk or servant is to have priority.

As regards the priority to be given to the wages of labourers and workmen, we propose to follow the Companies Act, 1883, in limiting it to wages in respect of services rendered during the two months before the commencement of the winding up.

4. The publication ordered by the Council has been made as follows :—

#### In English.

Gazette.	Date.
Gazette of India . . . . .	7th, 14th and 31st July, 1886.
Fort Saint George Gazette . . . . .	6th August, 1886.
Bombay Government Gazette . . . . .	22nd July, 1886.
Calcutta Gazette . . . . .	28th July, and 4th and 11th August, 1886.
North-Western Provinces and Oudh Government Gazette . . . . .	24th and 31st July, and 7th August, 1886.
Punjab Government Gazette . . . . .	22nd and 29th July, and 5th August, 1886.
Central Provinces Gazette . . . . .	24th and 31st July, and 7th August, 1886.
Burma Gazette . . . . .	7th, 14th and 21st August, 1886.
Assam Gazette . . . . .	7th, 14th and 28th August, 1886.
Coorg District Gazette . . . . .	1st September, 1886.

#### In the Vernaculars.

Province.	Language.	Date.
Bombay . . . . .	Maráthi . . . . .	19th August, 1886.
	Gujaráthi . . . . .	19th August, 1886.
Bengal . . . . .	Bengali . . . . .	24th and 31st August, 1886.
	Hindi . . . . .	2nd, 14th, 21st and 28th September, 1886.
	Uriya . . . . .	2nd, 14th, 21st and 28th September, 1886.
North-Western Provinces and Oudh . . . . .	Urdu . . . . .	21st and 28th August, and 4th September, 1886.
Central Provinces . . . . .	Maráthi . . . . .	1st, 8th and 15th September, 1886.
Burma . . . . .	Burmese . . . . .	4th, 11th and 18th September, 1886.

5. We are of opinion that the Bill should be re-published, and that it should not be further proceeded with till the expiration of one month from the date of the presentation of this Report.

ANDREW R. SCOBLE.

J. B. PEILE.

W. W. HUNTER.

*The 7th January, 1887.*

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th February, 1887, and is hereby promulgated for general information :—

## ACT NO. VII OF 1887.

*An Act to prescribe the mode of valuing certain suits for the purpose of determining the jurisdiction of Courts with respect thereto.*

WHEREAS it is expedient to prescribe the mode of valuing certain suits for the purpose of determining the jurisdiction of Courts with respect thereto; It is hereby enacted as follows :—

1. This Act may be called the Suits Valuation Act, 1887.

## PART I.

## SUITS RELATING TO LAND.

2. This Part shall extend to such local areas, and come into force there- in on such dates, as the Governor General in Council, by notification in the Gazette of India, directs.

3. (1) The Local Government may, with the previous sanction of the Governor General in Council, make rules for determining the value of land for purposes of jurisdiction in the suits mentioned in the Court-fees Act, 1870, section 7, paragraphs v and vi, and paragraph x, clause (d).

(2) The rules may determine the value of any class of land, or of any interest in land, in the whole or any part of a local area, and may prescribe different values for different places within the same local area.

4. Where a suit mentioned in the Court-fees Act, 1870, section 7, paragraph iv, or Schedule II, article 17, relates to land or an interest in land of which the value has been determined by rules under the last foregoing section, the amount at which for purposes of jurisdiction the relief sought in the suit is valued shall not exceed the value of the land or interest as determined by those rules.

5. (1) The Local Government shall, before making rules under section 3, consult the High Court with respect thereto.

(2) A rule under that section shall not take effect till the expiration of one month after the rule has been published in the local official Gazette.

6. On and from the date on which rules under section 3 take effect in any part of the territories under the administration of the Governor of Fort Saint George in Council to which the Madras Civil Courts Act, 1873, extends, section 14 of that Act shall be repealed as regards that part of those territories.

## PART II.

## OTHER SUITS

7. This Part extends to the whole of British India, and shall come into force on the first day of July, 1887.

8. Where in suits other than those referred to in the Court-fees Act, 1870, section 7, paragraphs v, vi and ix, and paragraph x, clause (d), court-fees are payable *ad valorem* under the Court-fees Act, 1870, the value as determinable for the computation of court-fees and the value for purposes of jurisdiction shall be the same.

9. When the subject-matter of suits of any class, other than suits mentioned in the Court-fees Act, 1870, section 7, paragraphs v and vi, and paragraph x, clause (d), is such that in the opinion of the High Court it does not admit of being satisfactorily valued, the High Court may, with the previous sanction of the Local Government, direct that suits of that class shall, for the purposes of the Court-fees Act, 1870, and of this Act and any other enactment for the time being in force, be treated as if their subject-matter were of such value as the High Court thinks fit to specify in this behalf.

10. Section 32 of the Punjab Courts Act, 1884, is hereby repealed.

## PART III.

## SUPPLEMENTAL PROVISIONS.

11. (1) Notwithstanding anything in section 578 of the Code of Civil Procedure, an objection that by reason of the over-valuation or under-valuation of a suit or appeal a Court of first instance or lower appellate Court which had not jurisdiction with respect to the

suit or appeal exercised jurisdiction with respect thereto shall not be entertained by an appellate Court unless—

- (a) the objection was taken in the Court of first instance at or before the hearing at which issues were first framed and recorded, or in the lower appellate Court in the memorandum of appeal to that Court, or
  - (b) the appellate Court is satisfied, for reasons to be recorded by it in writing, that the suit or appeal was over-valued or under-valued, and that the over-valuation or under-valuation thereof has prejudicially affected the disposal of the suit or appeal on its merits.
- (2) If the objection was taken in the manner mentioned in clause (a) of sub-section (1), but the appellate Court is not satisfied as to both the matters mentioned in clause (b) of that sub-section and has before it the materials necessary for the determination of the other grounds of appeal to itself, it shall dispose of the appeal as if there had been no defect of jurisdiction in the Court of first instance or lower appellate Court.
- (3) If the objection was taken in that manner and the appellate Court is satisfied as to both those matters and has not those materials before it, it shall proceed to deal with the appeal under the rules applicable to the Court with

respect to the hearing of appeals; but if it remands the suit or appeal, or frames and refers issues for trial, or requires additional evidence to be taken, it shall direct its order to a Court competent to entertain the suit or appeal.

(4) The provisions of this section with respect to an appellate Court shall, so far as they can be made applicable, apply to a Court exercising revisional jurisdiction under section 622 of the Code of Civil Procedure or other enactment for the time being in force.

(5) This section extends to the whole of British India, and shall come into force on the first day of July, 1887

12. Nothing in Part I or Part II shall be construed to affect the jurisdiction of any Court—  
Proceedings pending at commencement of Part I or Part II.

- (a) with respect to any suit instituted before rules under Part I applicable to the valuation of the suit take effect, or Part II has come into force, as the case may be, or
- (b) with respect to any appeal arising out of any such suit.

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

The following Report of the Select Committee on the Bill to prescribe the mode of valuing certain suits for the purpose of determining the jurisdiction of Courts with respect thereto was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th January, 1887:—

#### LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to pre-

scribe the mode of valuing certain suits for the purpose of determining the jurisdiction of Courts with respect thereto was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

2. We have divided the Bill into three Parts, of which Part I deals with suits relating to land and Part II with other suits, Part III con-

tain supplemental provisions.

Part I is to be brought into force by notification of the Governor General in Council, and it is proposed that Part II and the material portion of Part III come into force on the first day of July next.

3. We have excepted from the operation of section 8 (section 4 of the Bill as introduced) the suits to which paragraph ix of section 7 of the Court-fees Act relates. In a suit for foreclosure or sale the principal and interest due under the mortgage-deed represent the value of the suit for purposes of jurisdiction, while the value for the computation of court-fees is the principal only.

4. We have added to the Bill a section in the terms of section 32 of the Punjab Courts Act, 1884, and have proposed to repeal that section of that Act.

5. We have so amended section 11 (section 5 of the Bill as introduced) as to give the appellate Court a discretion as to proceeding with an appeal in a suit which was insti-

From Officiating Secretary to Chief Commissioner, Assam, No. 2113, dated 2nd October, 1886 [Paper No. 1].

From Secretary to Chief Commissioner, Coorg, No. 1901—3726, dated 22nd October, 1886 [Paper No. 2].

From Chief Commissioner, Ajmere-Merwara, No. 1237—690—II, dated 28th October, 1886 [Paper No. 3].

From Chief Secretary to Government, Madras, No. 2878, dated 25th October, 1886, and enclosures [Papers No. 4].

From Under Secretary to Chief Commissioner, Central Provinces, No. 5147—303, dated 13th November, 1886, and enclosures [Papers No. 5].

From Secretary to Chief Commissioner, Burma, No. 350—26 L., dated 12th November, 1886, and enclosures [Papers No. 6].

From Secretary to Government, North-Western Provinces and Oudh, No. 883—VII-343, dated 20th November, 1886, and enclosures [Papers No. 7].

From Secretary for Berar to Resident, Hyderabad, No. 429 G., dated 17th November, 1886, and enclosures [Papers No. 8].

From Acting Under Secretary to Government, Bombay, No. 6807, dated 23rd November, 1886, and enclosures [Papers No. 9].

From Chief Secretary to Government, Bengal, No. 3626 J., dated 7th December, 1886, and enclosures [Papers No. 10].

From Secretary to Government, Punjab, No. 1259, dated 20th December, 1886, and enclosures [Papers No. 11].

From Registrar, High Court, Calcutta, No. 18, dated 5th January, 1887 [Paper No. 12].

tuted in a Court without jurisdiction as regards the value, and we have made the provisions of the section applicable to an appellate Court apply also to a Court exercising revisional jurisdiction.

6. The publication ordered by the Council has been made as follows :—

<i>In English.</i>	
<i>Gazette.</i>	<i>Date.</i>
Gazette of India . . . . .	14th, 21st and 28th August, 1886.
Fort Saint George Gazette . . . . .	3rd September, 1886.
Bombay Government Gazette . . . . .	19th August, 1886.
Calcutta Gazette . . . . .	25th August, and 1st and 8th September, 1886.
North-Western Provinces and Oudh Government Gazette . . . . .	21st and 28th August, and 4th September, 1886.
Punjab Government Gazette . . . . .	19th and 26th August, and 2nd September, 1886.
Central Provinces Gazette . . . . .	21st and 28th August, and 4th September, 1886.
Burma Gazette . . . . .	4th, 11th and 18th September, 1886.
Assam Gazette . . . . .	28th August, and 11th and 18th September, 1886.
Coorg District Gazette . . . . .	1st October, 1886.

<i>In the Vernaculars.</i>		
<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Bombay . . . . .	Maráthi . . . . .	30th September, 1886.
	Gujaráthi . . . . .	14th October, 1886.
	Kanarese . . . . .	30th September, 1886.
Bengal . . . . .	Bengali . . . . .	5th and 12th October, 1886.
	Hindi . . . . .	21st and 28th September, and 5th October, 1886.
North-Western Provinces and Oudh . . . . .	Uriya . . . . .	21st October, 1886.
	Urdu . . . . .	27th November, and 4th and 11th December, 1886.
Burma . . . . .	Burmese . . . . .	13th, 20th and 27th November, 1886.
Assam . . . . .	Bengali . . . . .	16th October, 1886.

7. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

ANDREW R. SCOBLE.

A. COLVIN.

V. N. MANDLIK.\*

W. S. WHITESIDE.

RANA SHANKAR BAKSH.

*The 28th January, 1887.*

\*If we are to have an Act like this (the Bombay authorities do not see the necessity for one, and I entirely agree in their views), it should be either simultaneous with or follow the amending Court-fees Act; because the object of the Act is "to prescribe a simple mode of valuing suits," and that will depend on the rules laid down. These rules cannot be laid down now, because it is said we have no data for framing them, and they will take a long time to collect. If so, there can be no harm, it seems to me, in postponing the passing of the Act until we get all the materials before us. At present we are merely doing some administrative work; the real legislative work will be done by one of the executive departments. To such a procedure I am opposed on principle.

In other respects I agree with my colleagues.

V. N. MANDLIK.

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th February, 1887, and is hereby promulgated for general information:—

## ACT NO. VIII OF 1887.

*An Act to abolish Military Courts of Requests as established by Indian Military Law.*

WHEREAS it is expedient to repeal that portion of the Indian Military Law which relates to Military Courts of Requests and other military tribunals having jurisdiction with respect to actions of a civil nature; It is hereby enacted as follows:—

**Commencement.** I. This Act shall come into force on the first day of April, 1887.

**Repeal.** 2. The enactments mentioned in the schedule are hereby repealed to the extent specified in the third column thereof.

## THE SCHEDULE.

## ENACTMENTS REPEALED.

Number and year.	Subject or title.	Extent of repeal.
1	2	3

*Acts of the Governor General in Council.*

Act XI of 1841.	Military Courts of Requests for Native Officers and Soldiers.	So far as it has not been repealed.
Act XII of 1842.	Regulation of Military Bázars and Liabilities of Camp-followers.	So far as it has not been repealed.
Act XXXIII of 1852.	Enforcement of judgments in places beyond the jurisdiction of the Courts pronouncing the same.	So far as it has not been repealed.

Number and year.	Subject or title.	Extent of repeal.
1	2	3

*Acts of the Governor General in Council—continued.*

Act III of 1859.	Conferment of Civil Jurisdiction in certain cases on Cantonment Joint Magistrates.	So far as it has not been repealed.
Act XII of 1868.	Suspension of operation of section 17, Act XI, 1841.	The whole.
Act XV of 1874.	Laws Local Extent Act, 1874.	Clauses (e) and (h) of section 8; so much of the first schedule as relates to Acts XI of 1841, XII of 1842, XXXIII of 1852 and III of 1859; and so much of the second schedule as relates to Act XIV of 1855.
Act III of 1880.	Cantonments . . .	Section 8.
Act XIV of 1882.	Code of Civil Procedure.	Clause (b) of section 6.

*Act of the Governor of Madras in Council.*

Act I of 1866.	Cantonments . . .	Section 9, down to and inclusive of the words "provided also that".
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Number and year.	Subject or title.	Extent of repeal.	Number and year.	Subject and Title.	Extent of repeal.
1	2	3	1	2	3
<i>Bengal Regulation.</i>			<i>Bombay Regulation.</i>		
XX of 1810	Military Bazars	Section 1, from and inclusive of the words "and it has further been deemed expedient, for the ease and security of dealers" down to and inclusive of the words "such retainers or traders".	XXII of 1827.	Military Authority	The following portions so far as they have not been repealed, namely:— (a) the first clause of section 3; (b) the first twenty-seven words of the second clause of that section; (c) section 7; and (d) section 32.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to abolish Military Courts of Requests as established by Indian Military Law was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 28th January, 1887:—

## LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to abolish

From Under Secretary to Chief Commissioner, Central Provinces, No. 4858—283, dated 23rd October, 1886 [Paper No. 1].

From Officiating Secretary to Chief Commissioner, Assam, No. 2286, dated 22nd October, 1886 [Paper No. 2].

From Secretary to Chief Commissioner, Burma, No. 791—30 M., dated 29th October, 1886 [Paper No. 3].

From Secretary to Government, North-Western Provinces and Oudh, No. 909—VII-350, dated 29th November, 1886, and enclosures [Papers No. 4].

From Secretary to Chief Commissioner, Coorg, No. 2146—4426, dated 25th November, 1886, and enclosure [Papers No. 5].

From Chief Secretary to Government, Madras, No. 3107, dated 22nd November, 1886, and enclosures [Papers No. 6].

From Secretary for Berar to Resident, Hyderabad, No. 439 G., dated 29th November, 1886 [Paper No. 7].

From Acting Under Secretary to Government, Bombay, No. 6978, dated 30th November, 1886, and enclosures [Papers No. 8].

From Chief Commissioner, Ajmere-Merwara, No. 21 C., dated 4th December, 1886 [Paper No. 9].

From Registrar, High Court, Calcutta, No. 2733, dated 8th December, 1886 [Paper No. 10].

From Chief Secretary to Government, Bengal, No. 3625 J., dated 7th December, 1886 [Paper No. 11].

first day of April, 1887. By that date translations will have been prepared and published, and Local Governments will have had time to complete such administrative arrangements as may be rendered necessary by the Bill.

3. We have added to the schedule of repeals those portions of the Laws Local Extent Act, 1874, which are connected with the subject-matter of the Bill, and a portion of Bengal Regulation XX of 1810 which has through oversight hitherto remained unrepealed.

Military Courts of Requests as established by Indian Military Law was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

2. We have proposed that the Bill come into force on the

4. The publication ordered by the Council has been made as follows:—

*In English.*

<i>Gazette.</i>	<i>Date.</i>
Gazette of India . . . . .	2nd, 9th and 16th October, 1886.
Fort Saint George Gazette . . . . .	19th October, 1886.
Bombay Government Gazette . . . . .	21st October, 1886.
Calcutta Gazette . . . . .	13th, 20th and 27th October, 1886.
North-Western Provinces and Oudh Government Gazette . . . . .	9th, 16th and 23rd October, 1886.
Punjab Government Gazette . . . . .	7th, 14th and 21st October, 1886.
Central Provinces Gazette . . . . .	9th, 16th and 23rd October, 1886.
Burma Gazette . . . . .	23rd and 30th October, and 6th November, 1886.
Assam Gazette . . . . .	23rd and 30th October, and 6th November, 1886.
Coorg District Gazette . . . . .	1st November, 1886.

*In the Vernaculars.*

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Bombay . . . . .	Maráthi . . . . .	4th November, 1886.
	Gujaráthi . . . . .	11th November, 1886.
	Kanarese . . . . .	4th November, 1886.
Bengal . . . . .	Bengali . . . . .	2nd and 9th November, 1886.
	Hindi . . . . .	30th November, 1886.
	Uriya . . . . .	11th November, 1886.
Central Provinces . . . . .	Maráthi . . . . .	10th, 17th and 24th November, 1886.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

G. CHESNEY.  
J. B. PEILE.  
ANDREW R. SCOBLE.  
W. S. WHITESIDE.

*The 28th January, 1887.*

S. HARVEY JAMES,  
*Offg. Secretary to the Government of India.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 26, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART IV.

Acts of the Governor General's Council assented to by the Governor General.

### GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 24th February, 1887, and is hereby promulgated for general information:—

ACT NO. IX OF 1887.

#### THE PROVINCIAL SMALL CAUSE COURTS ACT, 1887.

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##### CHAPTER I.

##### PRELIMINARY.

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1. Title, extent and commencement.
2. Repeal.
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4. Definition.

##### CHAPTER II.

##### CONSTITUTION OF COURTS OF SMALL CAUSES.

5. Establishment of Courts of Small Causes.
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7. Appointment of times of sitting in certain circumstances.
8. Additional Judge.
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10. Power to require two Judges to sit as a bench.
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##### CHAPTER III.

##### JURISDICTION OF COURTS OF SMALL CAUSES. SECTIONS.

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23. Return of plaints in suits involving questions of title.
24. Appeals from certain orders of Courts of Small Causes.
25. Revision of decrees and orders of Courts of Small Causes.
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28. Subordination of Courts of Small Causes.
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32. Application of Act to Courts invested with jurisdiction of Court of Small Causes.
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*The Provincial Small Cause Courts Act, 1887.**(Chapter I.—Preliminary.—Sections 1-4. Chapter II.—Constitution of Courts of Small Causes.—Sections 5-8.)*

## SECTIONS.

34. Modification of Code as so applied.
35. Continuance of proceedings of abolished Courts.
36. Amendment of Indian Limitation Act.
37. Publication of certain orders.

## THE FIRST SCHEDULE.—ENACTMENTS REPEALED.

## THE SECOND SCHEDULE.—SUITS EXCEPTED FROM THE COGNIZANCE OF A COURT OF SMALL CAUSES.

*An Act to consolidate and amend the law relating to Courts of Small Causes established beyond the Presidency-towns.*

WHEREAS it is expedient to consolidate and amend the law relating to Courts of Small Causes established beyond the local limits for the time being of the ordinary original civil jurisdiction of the High Courts of Judicature at Fort William in Bengal and at Madras and Bombay; It is hereby enacted as follows:—

## CHAPTER I.

## PRELIMINARY.

1. (1) This Act may be called the Provincial Small Cause Courts Act, 1887.

(2) It extends to the whole of British India; and

(3) It shall come into force on the first day of July, 1887.

2. (1) The enactments specified in the first schedule are repealed to the extent mentioned in the third column thereof.

(2) But all Courts constituted, limits fixed, places appointed, appointments, declarations and rules made, jurisdiction and powers conferred, forms prescribed, directions given and notifications published under Act No. XI of 1865 (*an Act to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature*), or under any enactment repealed by that Act, shall, so far as may be, be deemed to have been respectively constituted, fixed, appointed, made, conferred, prescribed, given and published under this Act.

(3) Any enactment or document referring to Act No. XI of 1865 or to any enactment thereby repealed shall, so far as may be, be construed to refer to this Act or to the corresponding portion thereof

3. Nothing in this Act shall be construed to affect—

(a) any proceedings before or after decree in any suit instituted before the commencement of this Act; or

(b) the jurisdiction of a Magistrate under any law for the time being in force with respect to debts or other claims of a civil nature, or, of Village Munsifs or Village Panchayats under the provisions of the Madras Code, or of Village Munsifs under the Dekkhan Agriculturists' Relief Act, 1879; or

(c) any local law or any special law other than the Code of Civil Procedure. XIV d

4. In this Act, unless there is something repugnant in the subject or context, "Court of Small Causes" means a Court of Small Causes constituted under this Act, and includes any person exercising jurisdiction under this Act in any such Court.

## CHAPTER II.

## CONSTITUTION OF COURTS OF SMALL CAUSES.

5. (1) The Local Government, with the previous sanction of the Governor General in Council, may, by order in writing, establish a Court of Small Causes at any place within the territories under its administration beyond the local limits for the time being of the ordinary original civil jurisdiction of a High Court of Judicature established in a Presidency-town.

(2) The local limits of the jurisdiction of the Court of Small Causes shall be such as the Local Government may define, and the Court may be held at such place or places within those limits as the Local Government may appoint.

6. (1) When a Court of Small Causes has been established, the Local Government shall, by order in writing, appoint a Judge of the Court.

(2) The Judge may be the Judge of one Court of Small Causes or of two or more such Courts, as the Local Government directs.

7. (1) A Judge who is the Judge of two or more such Courts may, with the sanction of the District Court, fix the times at which he will sit in each of the Courts of which he is Judge.

(2) Notice of the times shall be published in such manner as the High Court from time to time directs.

8. (1) The Local Government, with the previous sanction of the Governor General in Council, may, by order in writing, appoint an Additional Judge of a Court of Small Causes or of two or more such Courts.

(2) The Additional Judge shall discharge such of the functions of the Judge of the Court or Courts as the Judge may assign to him; and in the discharge of those functions shall exercise the same powers as the Judge.

(3) The Judge may withdraw from the Additional Judge any business pending before him.

*The Provincial Small Cause Courts Act, 1887.*

(Chapter II.—*Constitution of Courts of Small Causes.*—Sections 9-14. Chapter III.—*Jurisdiction of Courts of Small Causes.*—Sections 15-16.)

(4) When the Judge is absent, the Additional Judge may discharge all or any of the functions of the Judge.

9. A Judge or Additional Judge of a Court of Small Causes may be suspended or removed from office by the Local Government.

10. The Local Government, after consultation with the High Court, may, by order in writing, direct that two Judges of Courts of Small Causes, or a Judge and an Additional Judge of a Court of Small Causes, shall sit together for the trial of such class or classes of suits or applications cognizable by a Court of Small Causes as may be described in the order.

11. (1) If two Judges, or a Judge and an Additional Judge, sitting together under the last foregoing section differ as to a question of law or usage having the force of law, or in construing a document the construction of which may affect the merits, they shall draw up and refer, for the decision of the High Court, a statement of the facts of the case and of the point on which they differ in opinion, and the provisions of Chapter XLVI of the Code of Civil Procedure shall apply to the reference.

(2) If they differ on any matter other than a matter specified in sub-section (1), the opinion of the Judge who is senior in respect of date of appointment as Judge of a Court of Small Causes, or, if one of them is an Additional Judge, then the opinion of the Judge sitting with him, shall prevail.

(3) For the purposes of sub-section (2), a Judge permanently appointed shall be deemed to be senior to an officiating Judge.

12. (1) The Local Government may appoint to a Court of Small Causes an officer to be called the Registrar of the Court.

(2) Where a Registrar is appointed, he shall be the chief ministerial officer of the Court.

(3) The Local Government may, by order in writing, confer upon a Registrar, within the local limits of the jurisdiction of the Court, the jurisdiction of a Judge of a Court of Small Causes for the trial of suits of which the value does not exceed twenty rupees.

(4) The Registrar shall try such suits cognizable by him as the Judge may, by general or special order, direct.

(5) A Registrar may be suspended or removed from office by the Local Government.

13. Subject to any enactment for the time being in force and to any orders made by the Local Government in this behalf,

the law or practice for the time being applicable to the appointment, punishment and transfer of ministerial officers of a Civil Court of the lowest grade competent to try an original suit of the value of five thousand rupees in that portion of the territories administered by the Local Government in which a Court of Small Causes is established shall, so far as it can be made applicable, apply to the appointment, punishment and transfer of ministerial officers of the Court of Small Causes other than the Registrar, if any, of that Court.

14. (1) The ministerial officers of a Court of Small Causes shall, in addition to any duties mentioned in this Act, or in any other enactment for the time being in force, as duties which are or may be imposed on any of them, discharge such duties of a ministerial nature as the Judge directs.

(2) The High Court may make rules consistent with this Act, and with any other enactment for the time being in force, conferring and imposing on the ministerial officers of a Court of Small Causes such powers and duties as it thinks fit, and regulating the mode in which powers and duties so conferred and imposed are to be exercised and performed.

## CHAPTER III.

## JURISDICTION OF COURTS OF SMALL CAUSES.

15. (1) A Court of Small Causes shall not take cognizance of the suits specified in the second schedule as suits excepted from the cognizance of a Court of Small Causes.

(2) Subject to the exceptions specified in that schedule and to the provisions of any enactment for the time being in force, all suits of a civil nature of which the value does not exceed five hundred rupees shall be cognizable by a Court of Small Causes.

(3) Subject as aforesaid, the Local Government may, by order in writing, direct that all suits of a civil nature of which the value does not exceed one thousand rupees shall be cognizable by a Court of Small Causes mentioned in the order.

16. Save as expressly provided by this Act or by any other enactment for the time being in force, a suit cognizable by a Court of Small Causes shall not be tried by any other Court having jurisdiction within the local limits of the jurisdiction of the Court of Small Causes by which the suit is triable.

*The Provincial Small Cause Courts Act, 1887.**(Chapter IV.—Practice and Procedure.—Sections 17-22.)*

## CHAPTER IV.

## PRACTICE AND PROCEDURE.

17. (1) The procedure prescribed in the chapters and sections of the Code of Civil Procedure specified in the second schedule to that Code, as amended by this Act, shall, so far as those chapters and sections are applicable, be the procedure followed in a Court of Small Causes in all suits cognizable by it and in all proceedings arising out of such suits:

Provided that an applicant for an order to set aside a decree passed *ex parte* or for a review of judgment shall, at the time of presenting his application, either deposit in the Court the amount due from him under the decree or in pursuance of the judgment, or give security to the satisfaction of the Court for the performance of the decree or compliance with the judgment, as the Court may direct.

(2) Where a person has become liable as surety under the proviso to sub-section (1), the security may be realized in manner provided by section 253 of the Code of Civil Procedure.

18. (1) Suits cognizable by the Registrar under section 12, sub-sections (3) and (4), shall be tried by him, and decrees passed therein shall be executed by him, in like manner in all respects as the Judge might try the suits, and execute the decrees, respectively.

(2) The Judge may transfer to his own file, or to that of the Additional Judge if an Additional Judge has been appointed, any suit or other proceeding pending on the file of the Registrar.

19. (1) When the Judge of a Court of Small Causes is absent, and an Additional Judge has not been appointed or, having been appointed, is also absent, the Registrar may admit a plaint, or return or reject a plaint for any reason for which the Judge might return or reject it.

(2) The Judge may, of his own motion or on the application of a party, return or reject a plaint which has been admitted by the Registrar, or admit a plaint which has been returned or rejected by him:

Provided that, where a party applies for the return or rejection or the admission of a plaint under this sub-section, and his application is not made at the first sitting of the Judge after the day on which the Registrar admitted, or returned or rejected, the plaint, the Judge shall dismiss the application unless the applicant satisfies him that there was sufficient cause for not making the application at that sitting.

20. (1) If, before the date appointed for the hearing of a suit, the defendant or his agent duly authorised in that behalf appears before the Registrar and admits the plaintiff's claim, the Registrar may, if the Judge is absent, and an Additional Judge has not been appointed or, having been appointed, is also absent, pass against the defendant, upon the admission, a decree which shall have the same effect as a decree passed by the Judge.

(2) Where a decree has been passed by the Registrar under sub-section (1), the Judge may grant an application for review of judgment, and re-hear the suit, on the same conditions, on the same grounds and in the same manner as if the decree had been passed by himself.

21. (1) If the Judge is absent, and an Additional Judge has not been appointed or, having been appointed, is also absent, the Registrar may, subject to any instructions which he may have received from the Judge or, with respect to decrees or orders made by an Additional Judge, from the Additional Judge, make any orders in respect of applications for the execution of decrees and orders made by the Court of which he is Registrar, or sent to that Court for execution, which the Judge might make under this Act.

(2) The Judge, in the case of any decree or order with respect to the execution of which the Registrar has made an order under sub-section (1), or the Additional Judge, in the case of any such decree or order which has been made by himself and with respect to which proceedings have not been taken by the Judge under this sub-section, may, of his own motion, or on application made by a party within fifteen days from the date of the order of the Registrar or of the execution of any process issued in pursuance of that order, reverse or modify the order.

(3) The period of fifteen days mentioned in sub-section (2) shall be computed in accordance with the provisions of the Indian Limitation Act, 1877, as though the application of the party were an application for review of judgment.

22. When the Judge of a Court of Small Causes is absent and an Additional Judge has not been appointed or, having been appointed, is also absent, the Registrar or other chief ministerial officer of the Court may exercise from time to time the power which the Court possesses of adjourning the hearing of any suit or other proceeding, and fix a day for the further hearing thereof.



*The Provincial Small Cause Courts Act, 1887.**(Chapter IV.—Practice and Procedure.—Sections 23-27. Chapter V.—Supplemental Provisions.—Sections 28-31.)*

23. (1) Notwithstanding anything in the foregoing portion of this Act, when the right of a plaintiff and the relief claimed by him in a Court of Small Causes depend upon the proof or disproof of a title to immoveable property or other title which such a Court cannot finally determine, the Court may at any stage of the proceedings return the plaint to be presented to a Court having jurisdiction to determine the title.

(2) When a Court returns a plaint under sub-section (1), it shall comply with the provisions of the second paragraph of section 57 of the Code of Civil Procedure and make such order with respect to costs as it deems just, and the Court shall, for the purposes of the Indian Limitation Act, 1877, be deemed to have been unable to entertain the suit by reason of a cause of a nature like to that of defect of jurisdiction.

24. Where an order specified in section 588, clause (29), of the Code of Civil Procedure is made by a Court of Small Causes, an appeal therefrom shall lie to the District Court.

25. The High Court, for the purpose of satisfying itself that a decree or order made in any case decided by a Court of Small Causes was according to law, may call for the case and pass such order with respect thereto as it thinks fit.

26. In the second schedule to the Code of Civil Procedure—

(a) for "CHAPTER VIII.—Section 111, Set-off" the following shall be substituted, namely:—

"CHAPTER VIII.—Of Written Statements and Set-off";

(b) the following shall be inserted between the portion of the schedule referring to CHAPTER XV and that referring to CHAPTER XVII, namely:—

"CHAPTER XVI.—Of Affidavits";

(c) in the particulars against CHAPTER XIX, for "275 to 280 (both inclusive), 283" the following shall be substituted, namely:—

"275 to 283 (both inclusive)";

(d) for "CHAPTER XLVII.—Of Review of Judgment" the following shall be substituted, namely:—

"CHAPTER XLVII.—Of Review of Judgment, sections 623, 626 and 630"; and

(e) for "CHAPTER XLIX.—Miscellaneous, sections 640 to 647 (both inclusive), sec-

tions 649 to 652 (both inclusive)" the following shall be substituted, namely:—

"CHAPTER XLIX.—Miscellaneous."

27. Save as provided by this Act a decree or order made under the foregoing provisions of this Act by a Court of Small Causes shall be final.

## CHAPTER V.

## SUPPLEMENTAL PROVISIONS.

28. (1) A Court of Small Causes shall be subject to the administrative control of the District Court and to the superintendence of the High Court, and shall—

(a) keep such registers, books and accounts as the High Court from time to time prescribes, and

(b) comply with such requisitions as may be made by the District Court, the High Court or the Local Government for records, returns and statements in such form and manner as the authority making the requisition directs.

(2) The relation of the District Court to a Court of Small Causes, with respect to administrative control, shall be the same as that of the District Court to a Civil Court of the lowest grade competent to try an original suit of the value of five thousand rupees in that portion of the territories administered by the Local Government in which the Court of Small Causes is established.

29. A Court of Small Causes shall use a seal of such form and dimensions as are prescribed by the Local Government.

30. The Local Government may, by order in writing, abolish a Court of Small Causes.

31. (1) Nothing in this Act shall be construed to prevent the Local Government from appointing a person who is a Judge or Additional Judge of a Court of Small Causes to be also a Judge of any other Civil Court or to be a Magistrate of any class or to hold any other public office.

(2) When a Judge or Additional Judge is so appointed, the ministerial officers of his Court shall, subject to any rules which the Local Government may make in this behalf, be deemed to be ministerial officers appointed to aid him in the discharge of the duties of the other office.

*The Provincial Small Cause Courts Act, 1887.**(Chapter V.—Supplemental Provisions.—Sections 32-37. The First Schedule.—Enactments repealed.)*

Application of Act to Courts invested with jurisdiction of Court of Small Causes.

32. (r) So much of Chapters III and IV as relates to—

- (a) the nature of the suits cognizable by Courts of Small Causes,
- (b) the exclusion of the jurisdiction of other Courts in those suits,
- (c) the practice and procedure of Courts of Small Causes,
- (d) appeal from certain orders of those Courts and revision of cases decided by them, and
- (e) the finality of their decrees and orders subject to such appeal and revision as are provided by this Act,

applies to Courts invested by or under any enactment for the time being in force with the jurisdiction of a Court of Small Causes so far as regards the exercise of that jurisdiction by those Courts.

(2) Nothing in sub-section (r) with respect to Courts invested with the jurisdiction of a Court of Small Causes applies to suits instituted or proceedings commenced in those Courts before the date on which they were invested with that jurisdiction.

33. A Court invested with the jurisdiction of a Court of Small Causes, with respect to the exercise of that jurisdiction, and the same Court, with respect to the exercise of its jurisdiction in suits of a civil nature which are not cognizable by a Court of Small Causes, shall, for the purposes of this Act and the Code of Civil Procedure, be deemed to be different Courts.

Modification of Code as so applied.

34. Notwithstanding anything in the last two foregoing sections,—

- (a) when, in exercise of the jurisdiction of a Court of Small Causes, a Court invested with that jurisdiction sends a decree for execution to itself as a Court having jurisdiction in suits of a civil nature which are not cognizable by a Court of Small Causes, or
- (b) when a Court, in the exercise of its jurisdiction in suits of a civil nature which are not cognizable by a Court of Small Causes, sends a decree for execution to itself as a Court invested with the jurisdiction of a Court of Small Causes,—

the documents mentioned in section 224 of the Code of Civil Procedure shall not be sent with the decree unless in any case the Court, by order in writing, requires them to be sent.

35. (r) Where a Court of Small Causes, or a Court invested with the jurisdiction of a Court of Small Causes, has from

any cause ceased to have jurisdiction with respect to any case, any proceeding in relation to the case, whether before or after decree, which, if the Court had not ceased to have jurisdiction, might have been had therein, may be had in the Court which, if the suit out of which the proceeding has arisen were about to be instituted, would have jurisdiction to try the suit.

(2) Nothing in this section applies to cases for which special provision is made in the Code of Civil Procedure, as extended to Courts of XIV of 1882 Small Causes, or in any other enactment for the time being in force.

36. In the third division of the second schedule to the Indian Limitation Act, 1877,—

(a) after No. 160 the following shall be inserted, namely:—

"160A. For a review of judgment by a Provincial Court of Small Causes, or by a Court invested with the jurisdiction of a Provincial Court of Small Causes when exercising that jurisdiction.

Ditto.

The date of the decree or order."

and (b) in No. 173, the words, figures and letter "No. 160A and" shall be inserted before the word and figures "No. 162."

37. All orders required by this Act to be made in writing by the Local Government shall be published in the official Gazette.

## THE FIRST SCHEDULE.

## ENACTMENTS REPEALED.

(See section 2.)

Number and year.	Subject or title.	Extent of repeal.
1	2	3
Act XI of 1865.	Mufassal Small Cause Courts Act.	So much as has not been repealed.
Act VI of 1871.	Bengal Civil Courts Act.	Section 30.
Act III of 1873.	Madras Civil Courts Act.	Section 29, paragraph one.
Act XV of 1874.	Laws Local Extent Act.	So much of the first schedule as relates to Acts XI of 1865 and X of 1867.
Act XII of 1881.	North-Western Provinces Rent Act.	In section 2, the words and figures "and Act No. XI of 1865, section 52."
Regulation I of 1877.	Ajmer Courts Regulation.	Section 33.

XIV of 1882.

XIV of 1882.

*The Provincial Small Cause Courts Act, 1887.**(The Second Schedule.—Suits excepted from the cognisance of a Court of Small Causes.)*

## THE SECOND SCHEDULE:

SUITS EXCEPTED FROM THE COGNIZANCE OF  
A COURT OF SMALL CAUSES.*(See section 15.)*

- (1) A suit concerning an act or order purporting to be done or made by the Governor General in Council or a Local Government, or by the Governor General or a Governor, or by a Member of the Council of the Governor General or of the Governor of Madras or Bombay, in his official capacity, or concerning an act purporting to be done by any person by order of the Governor General in Council or a Local Government;
- (2) a suit concerning an act purporting to be done by any person in pursuance of a judgment or order of a Court or of a judicial officer acting in the execution of his office;
- (3) a suit concerning an act or order purporting to be done or made by any other officer of the Government in his official capacity, or by a Court of Wards, or by an officer of a Court of Wards in the execution of his office;
- (4) a suit for the possession of immoveable property or for the recovery of an interest in such property;
- (5) a suit for the partition of immoveable property;
- (6) a suit by a mortgagee of immoveable property for the foreclosure of the mortgage or for the sale of the property, or by a mortgagor of immoveable property for the redemption of the mortgage;
- (7) a suit for the assessment, enhancement, abatement or apportionment of the rent of immoveable property;
- (8) a suit for the recovery of rent, other than house-rent, unless the Judge of the Court of Small Causes has been expressly invested by the Local Government with authority to exercise jurisdiction with respect thereto;
- (9) a suit concerning the liability of land to be assessed to land-revenue;
- (10) a suit to restrain waste;
- (11) a suit for the determination or enforcement of any other right to or interest in immoveable property;
- (12) a suit for the possession of an hereditary office or of an interest in such an office, including a suit to establish an exclusive or periodically recurring right to discharge the functions of an office;

- (13) a suit to enforce payment of the allowance or fees respectively called *málik-ána* and *hakk*, or of cesses or other dues when the cesses or dues are payable to a person by reason of his interest in immoveable property or in an hereditary office or in a shrine or other religious institution;
- (14) a suit to recover from a person to whom compensation has been paid under the Land Acquisition Act, 1870, the whole or any part of the compensation;
- (15) a suit for the specific performance or rescission of a contract;
- (16) a suit for the rectification or cancellation of an instrument;
- (17) a suit to obtain an injunction;
- (18) a suit relating to a trust, including a suit to make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust, and a suit by a co-trustee to enforce against the estate of a deceased trustee a claim for contribution;
- (19) a suit for a declaratory decree, not being a suit instituted under section 283 or section 332 of the Code of Civil Procedure of 1882;
- (20) a suit instituted under section 283 or section 332 of the Code of Civil Procedure;
- (21) a suit to set aside an attachment by a Court or a revenue-authority, or a sale, mortgage, lease or other transfer by a Court or a revenue-authority or by a guardian;
- (22) a suit for property which the plaintiff has conveyed while insane;
- (23) a suit to alter or set aside a decision, decree or order of a Court or of a person acting in a judicial capacity;
- (24) a suit to contest an award;
- (25) a suit upon a foreign judgment as defined in the Code of Civil Procedure or upon a judgment obtained in British India;
- (26) a suit to compel a refund of assets improperly distributed under section 295 of the Code of Civil Procedure;
- (27) a suit under the Indian Succession Act, 1865, section 320 or section 321, or under the Probate and Administration Act, 1881, section 139 or section 140, to compel a refund by a person to whom an executor or administrator has paid a legacy or distributed assets;
- (28) a suit for a legacy or for the whole or a share of a residue bequeathed by a

*The Provincial Small Cause Courts Act, 1887.**(The Second Schedule.—Suits excepted from the cognizance of a Court of Small Causes.)*

testator, or for the whole or a share of the property of an intestate ;

(29) a suit—

(a) for a dissolution of partnership or for the winding-up of the business of a partnership after its dissolution ;

(b) for an account of partnership-transactions ; or

(c) for a balance of partnership-account, unless the balance has been struck by the parties or their agents ;

(30) a suit for an account of property and for its due administration under decree ;

(31) any other suit for an account, including a suit by a mortgagor, after the mortgage has been satisfied, to recover surplus collections received by the mortgagee, and a suit for the profits of immoveable property belonging to the plaintiff which have been wrongfully received by the defendant ;

(32) a suit for a general average loss or for salvage ;

(33) a suit for compensation in respect of collision between ships ;

(34) a suit on a policy of insurance or for the recovery of any premium paid under any such policy ;

(35) a suit for compensation—

(a) for loss occasioned by the death of a person caused by actionable wrong ;

(b) for wrongful arrest, restraint or confinement ;

(c) for malicious prosecution ;

(d) for libel ;

(e) for slander ;

(f) for adultery or seduction ;

(g) for breach of contract of betrothal or promise of marriage ;

(h) for inducing a person to break a contract made with the plaintiff ;

(i) for obstruction of an easement or diversion of a watercourse ;

(j) for illegal, improper or excessive distress or attachment ;

(k) for improper arrest under Chapter XXXIV of the Code of Civil Procedure, or in respect of the issue of an injunction wrongfully obtained under Chapter XXXV of that Code ; or

(l) for injury to the person in any case not specified in the foregoing sub-clauses of this clause ;

(36) a suit by a Muhammadan for exigible (*mu'ajjal*) or deferred (*mu'wajjal*) dower ;

(37) a suit for the restitution of conjugal rights, for the recovery of a wife, for the custody of a minor, or for a divorce ;

(38) a suit relating to maintenance ;

(39) a suit for arrears of land-revenue, village-expenses or other sums payable to the representative of a village-community or to his heir or other successor in title ;

(40) a suit for profits payable by the representative of a village-community or by his heir or other successor in title after payment of land-revenue, village-expenses and other sums ;

(41) a suit for contribution by a sharer in joint property in respect of a payment made by him of money due from a co-sharer, or by a manager of joint property, or a member of an undivided family, in respect of a payment made by him on account of the property or family ;


(42) a suit by one of several joint mortgagors of immoveable property for contribution in respect of money paid by him for the redemption of the mortgaged property ;

(43) a suit against the Government to recover money paid under protest in satisfaction of a claim made by a revenue-authority on account of an arrear of land-revenue or of a demand recoverable as an arrear of land-revenue ;

(44) a suit the cognizance whereof by a Court of Small Causes is barred by any enactment for the time being in force.

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

 Please substitute these for pages  
33 and 34 of Part IV of the "Gazette  
of India," dated 26th February, 1887.

The following Report of the Select Committee on the Bill to consolidate and amend the law relating to Courts of Small Causes established beyond the Presidency-towns, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 11th February, 1887:—

### LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to consolidate

and amend the law relating to Courts of Small Causes established beyond the Presidency-towns was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

From Mr. P. R. Desai, Pleader, District Court, Satara, dated 30th December, 1885 [Paper No. 1].  
 From Babu Upendra Nath Mitra, Vakil, High Court, Calcutta, dated 3rd February, 1886 [Paper No. 2].  
 From Mahomed Mahmud Husayn, Pleader, Upper Grade, Allahabad, dated 13th February, 1886 [Paper No. 3].  
 From Secretary to Chief Commissioner, Assam, No. 401, dated 20th February, 1886 [Paper No. 4].  
 Memorandum by Lala Sanwal Singh, Munsif, Jaunpur, North-Western Provinces [Paper No. 5].  
 From Chief Commissioner, Ajmere-Merwara, No. 345 C., dated 27th February, 1886, and enclosure [Papers No. 6].  
 From Secretary to Chief Commissioner, Coorg, No. 293-548, dated 2nd March, 1886, and enclosure [Papers No. 7].  
 From Acting Chief Secretary to Government, Madras, No. 531, dated 1st March, 1886, and enclosures [Papers No. 8].  
 From Under-Secretary to Government, Bombay, No. 1463, dated 5th March, 1886, and enclosures [Papers No. 9].  
 From Secretary for Berar to Resident, Hyderabad, No. 66 G., dated 11th March, 1886, and enclosures [Papers No. 10].  
 Endorsement by Acting Chief Secretary to Government, Madras, No. 589, dated 8th March, 1886, and enclosures [Papers No. 11].  
 From Secretary to Government, North-Western Provinces and Oudh, No. 248-VII-246-19, dated 3rd April, 1886, and enclosures [Papers No. 12].  
 From Officiating Secretary to Chief Commissioner, British Burma, No. 33-71, dated 2nd April, 1886 [Paper No. 13].  
 From Officiating Registrar, High Court, Calcutta, No. 940, dated 7th April, 1886 [Paper No. 14].  
 From Secretary to Government, Punjab, No. 456, dated 20th April, 1886, and enclosures [Papers No. 15].  
 From Secretary to Government, North-Western Provinces and Oudh, No. 397-VII-246-21, dated 2nd June, 1886, and enclosures [Papers No. 16].  
 From Officiating Chief Secretary to Government, Bengal, No. 545]-D., dated 31st May, 1886, and enclosures [Papers No. 17].  
 From Under-Secretary to Chief Commissioner, Central Provinces, No. 2667-152, dated 17th June, 1886, and enclosures [Papers No. 18].  
 From Chief Secretary to Government, North-Western Provinces and Oudh, No. 633-VII-246-22, dated 18th August, 1886, and enclosure [Papers No. 19].  
 From Secretary to Government, Punjab, No. 888, dated 26th August, 1886, and enclosures [Papers No. 20].

2. *Section 1.*—We consider that this measure should extend to the whole of British India, including the Scheduled Districts. We have, therefore, removed the words which excepted the Scheduled Districts from the operation of the proposed Act.

3. *Section 2.*—We have provided for the continuance of Courts established, and orders made, under the enactments repealed by Act XI of 1865.

4. *Section 3.*—We have provided that the Act is not to affect any proceedings before or after decree in any suit instituted before the commencement of the Act, and we have removed from the section the reference to Act III of 1859, that Act being about to be repealed by the Council of the Governor-General. The reference to the Army Act of 1881 will be covered by the saving of special laws which we have proposed to add to the section.

5. *Section 4.*—Several of the definitions have, since the Bill was introduced, been enacted in the General Clauses Act, 1887. As section 2 of the Code of Civil Procedure extends to Courts of Small Causes, the definition of "District" and "District Court" seem to us to be superfluous.

6. *Section 5.*—We have transferred to this section the substance of section 28.

7. *Section 7.*—We have provided that the fixing of times of sitting by a Judge of more than one Court of Small Causes shall be subject to the sanction of the District Court.

8. *Section 9 (section 10 of Bill as revised by us).*—We have provided for orders under this section being made after consultation with the High Court.

9. *Section 11 (section 12 of Bill as revised).*—We have proposed that the Registrar of a Court of Small Causes shall be appointed, not by the Judge of the Court, but, as under Act XI of 1865, by the Local Government.

10. *Sections 12 and 13 (section 13 of Bill as revised).*—It is proposed to make the establishment of a Court of Small Causes part of the Civil Court Ministerial Service of the district in which the Court is situate.

11. *Section 14.*—We have so amended this section as to leave unfettered the discretion of High Courts as to the powers and duties which may by rules under the section be conferred and imposed on ministerial officers of Courts of Small Causes.

12. *Section 16.*—We have proposed to omit this section on the ground of its being not more necessary in the case of Courts of Small Causes than in that of other Courts.



13. *Section 19 (section 17 of Bill as revised).*—We have met the objections to proviso (a) by enabling the Court to take security for the performance of the decree instead of requiring the deposit of the amount of the decree, by omitting from the second schedule to the Code of Civil Procedure the dilatory sections of Chapter XLVII, and by extending the time within which an application may be made for a review of judgment.

Proviso (b) has been transferred to the Bill to amend the Code of Civil Procedure which is now pending before the Council of the Governor-General.

14. *Section 20.*—We have given effect to the opinion, which is very generally expressed, that the whole of Chapter VIII of the Code should extend to Courts of Small Causes.

15. *Section 21.*—Seeing that sections 223 and 228 of the Code extend to Courts of Small Causes, this section seems to us to be unnecessary. We have therefore removed it from the Bill.

16. *Section 23 (section 19 of Bill as revised).*—We have acted on a suggestion that some discretion should be given to the Judge as to the admission or dismissal of an application which is made under this section subsequently to the first sitting of the Judge after the plaint was admitted, or returned or rejected, by the Registrar.

17. *Section 22 of Bill as revised.*—This section has been suggested to us by the Judge of the Courts of Small Causes at Surat and Broach.

18. *Section 23 of Bill as revised.*—This section is based on suggestions made by several Judges of experience in different parts of the country.

19. *Section 24 of Bill as revised.*—This section supplements the defective expression of section 589 of the Code of Civil Procedure.

20. *Section 25 of Bill as revised.*—The opinion appears to be universal that the ruling of the Privy Council in *Amir Hassan Khan versus Sheo Baksh Singh* (I. L. R. 11 Cal. 6) has rendered it absolutely necessary to extend the jurisdiction which the High Courts possess over the judicial proceedings of Courts of Small Causes and of other Courts invested with their powers. It is of course desirable that nothing should be done to encourage needless resort to the High Court, but, as the Hon'ble the Chief Justice and Judges of the High Court at Fort William have observed, this consideration should be one rather for the High Court than to be used to remove an important branch of the lower judicature from all control and so to deprive it of the advantage of a subordinate relation to that authority which exists for the express purpose of guiding the inferior tribunals by its exposition of the law.

21. *Section 26 of Bill as revised.*—The only part of this section which calls for notice here is that which applies Chapter XVI of the Code of Civil Procedure to Courts of Small Causes. That Chapter does apply to Presidency Courts and the balance of opinion is strongly in favour of making it applicable to Provincial Courts of Small Causes also.

22. *Section 29 (section 28 of Bill as revised).*—We have added a sub-section descriptive of the nature of the administrative control to be vested in the District Court.

23. *Section 32 (section 31 of Bill as revised).*—We have so expressed this section as to make it clear that the Local Government may appoint a Judge of a Court of Small Causes to be a Registrar under the Indian Registration Act, 1877, or to hold any other public office.

24. *Section 33, sub-section (1) (section 32, sub-section (1), of Bill as revised).*—We have added words supplementary to section 25 of the Bill as revised, and a sub-section for the purpose of solving a question which has frequently been raised.

25. *Section 34 of Bill as revised.*—This section is suggested by the case reported at I. L. R. 9 Bom. 237.

26. *Section 35 of Bill as revised.*—This section has been suggested by the opinions on the Bill, and follows a section inserted for the same purpose in the Bengal Civil Courts Bill now pending before the Council of the Governor-General.

27. *The First Schedule.*—We have, we believe, completed the list of necessary repeals.

28. *The Second Schedule.*—By our amendments of this schedule we have placed the following suits within the cognizance of Provincial Courts of Small Causes, namely:—

- (a) suits against local authorities, including municipalities;
- (b) suits for recovery of rent of agricultural land in certain circumstances; and
- (c) suits for enforcement of lien on moveable property, and by pawnors for the redemption or recovery of pledges;

and we have excluded from the cognizance of those Courts the following suits, namely:—

- (a) suits to recover from a person to whom compensation has been paid under the Land Acquisition Act, 1870, the whole or any part of the compensation;
- (b) suits relating to trusts;
- (c) suits for property which a plaintiff has conveyed while insane;
- (d) suits on judgments;
- (e) suits to compel refund of assets improperly distributed under section 295 of the Code of Civil Procedure;
- (f) suits for the winding-up of the business of a partnership after its dissolution;
- (g) suits for surplus collections of mortgaged property or for profits of immoveable property wrongfully received;

- (h) suits for loss occasioned by the death of a person caused by actionable wrong ;  
 (i) suits for compensation for certain torts ;  
 (j) suits for dower ;  
 (k) suits for custody of minors ;  
 (l) suits for shares in perquisites of hereditary offices and in offerings at shrines ;  
 and  
 (m) suits by one of several joint mortgagors of immoveable property for contribution in respect of money paid for the redemption of the mortgaged property.
29. The publication ordered by the Council has been made as follows :—

<i>Gazette.</i>	<i>In English.</i>	<i>Date.</i>
Gazette of India . . . . .		19th and 26th December, 1885, and 2nd January 1886.
Fort Saint George Gazette . . . . .		13th January, 1886.
Bombay Government Gazette . . . . .		24th and 31st December, 1885, and 7th January, 1886.
Calcutta Gazette . . . . .		23rd and 30th December, 1885, and 6th January, 1886.
North-Western Provinces and Oudh Government Gazette . . . . .		26th December, 1885, and 2nd and 9th January, 1886.
Punjab Government Gazette . . . . .		7th and 14th January, 1886.
Central Provinces Gazette . . . . .		26th December, 1885, and 2nd and 9th January, 1886.
Burma Gazette . . . . .		9th, 16th and 23rd January, 1886.
Assam Gazette . . . . .		9th, 16th and 23rd January, 1886.
Coorg District Gazette . . . . .		1st February, 1886.

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Madras . . . . .	Tamil . . . . .	17th March, 1886.
	Telugu . . . . .	17th March, 1886.
	Hindustani . . . . .	30th July, 1886.
	Kanarese . . . . .	4th June, 1886.
	Malayalam . . . . .	3rd March, 1886.
Bombay . . . . .	Marathi . . . . .	4th February, 1886.
	Gujarathi . . . . .	4th February, 1886.
	Kanarese . . . . .	11th February, 1886.
Bengal . . . . .	Bengali . . . . .	2nd and 9th February, 1886.
	Hindi . . . . .	2nd February, 1886.
	Uriya . . . . .	25th March, 1886.
North-Western Provinces and Oudh . . . . .	Urdu . . . . .	6th, 13th and 20th February, 1886.
Punjab . . . . .	Urdu . . . . .	4th February, 1886.
Central Provinces . . . . .	Marathi . . . . .	24th February, 1886.
	Hindi . . . . .	10th, 17th and 24th March, 1886.

30. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended by us.

ANDREW R. SCOBLE.

J. B. PEILE.

W. W. HUNTER.

V. N. MANDLIK.

PEARI MOHAN MUKERJI.

The 11th February, 1887.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 24th February, 1887, and is hereby promulgated for general information :—

## ACT NO. X OF 1887.

THE NATIVE PASSENGER SHIPS  
ACT, 1887.

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## SCHEDULE—ENACTMENTS REPEALED.

*An Act to consolidate and amend the law relating to Native Passenger Ships.*

WHEREAS it is expedient to consolidate and amend the law relating to Native Passenger Ships; It is hereby enacted as follows:—

## CHAPTER I.

## PRELIMINARY.

1. This Act may be called the Native Passenger Ships Act, 1887.

Extent and application.

2. (1) It extends to the whole of British India, and applies—

- (a) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty;
- (b) to all native Indian subjects of Her Majesty without and beyond British India; and,
- (c) subject to the exceptions mentioned in sub-section (2), to ships carrying as passengers more than thirty natives of Asia or Africa.

- (2) But it does not apply—

- (i) to any ship-of-war, troopship, transport or other ship belonging to the Royal Navy or Her Majesty's Indian Marine Service, or
- (ii) to any other ship for the time being in the service of Her Majesty, or
- (iii) to any ship-of-war belonging to any Foreign Prince or State, or
- (iv) to any steam-ship not carrying as passengers more than sixty natives of Asia or Africa, or
- (v) to any ship not intended to carry natives of Asia or Africa as passengers to or from any port in British India.

(3) Notwithstanding anything in sub-sections (1) and (2), the Local Government may, with the previous sanction of the Governor General in Council, declare all or any of the provisions of this Act to apply to sailing-ships, or any class of sailing-ships, carrying as passengers more than fifteen

natives of Asia or Africa, and to steam-ships, or any class of steam-ships, carrying as passengers more than thirty such natives.

3. This Act shall come into force on such day as the Governor General in Council, by notification in the Gazette of India, appoints.

4. (1) On and from that day the enactments mentioned in the schedule shall be repealed to the extent specified in the third column thereof.

(2) But all ports, places and officers appointed, rules, declarations and exemptions made, bonds executed, directions given and certificates granted under any of those enactments shall, so far as may be, be deemed to be respectively appointed, made, executed, given and granted under this Act; and

(3) Any enactment or document referring to any enactment hereby repealed shall be construed to refer to this Act or to the corresponding portion thereof.

5. In this Act, unless there is something repugnant in the subject or context,—

Definitions.

- (1) "ship" means a ship to which this Act applies:

(2) "passenger" means a passenger by a ship who is a native of Asia or Africa of the age of twelve years or upwards and is not on the articles of the ship as one of the crew; but it does not include either a passenger in attendance on a person who is not a native of Asia or Africa, or a child under one year of age; and, in the computation of passengers for any of the purposes of this Act, two persons of the age of one year or upwards and under the age of twelve years shall be reckoned as one passenger:

(3) "long voyage" means, subject to the provisions of this Act, any voyage during which the ship performing it will in ordinary circumstances be one hundred and twenty hours or upwards continuously out of port:

(4) "short voyage" means, subject to the provisions of this Act, any voyage during which the ship performing it will not in ordinary circumstances be one hundred and twenty hours continuously out of port:

(5) "voyage", when used without the prefix "long" or "short", means the whole distance between the ship's port or place of departure and her final port or place of arrival:

(6) "Chief Customs-officer" means the chief executive officer of sea-customs in any port or place to which this Act applies: and

(7) "Magistrate" means a person exercising powers not inferior to those of a Magistrate of the second class.

## CHAPTER II.

## RULES FOR ALL VOYAGES.

6. (1) A ship carrying passengers shall not depart or proceed from, or discharge passengers at, any port or place within British

*The Native Passenger Ships Act, 1887.**(Chapter II.—Rules for all Voyages.—Sections 7-11.)*

India other than a port or place appointed in this behalf by the Local Government.

(2) After a ship has departed or proceeded on a voyage from a port or place so appointed, a person shall not be received on board as a passenger except at some other port or place so appointed.

7. (1) The master, owner or agent of a ship so departing or proceeding shall give notice to an officer appointed in this behalf by the Local Government that the ship is to carry passengers, and of her destination, and of the proposed time of sailing.

(2) The notice shall be given not less than twenty-four hours before that time.

8. After receiving the notice, the officer aforesaid or a person authorized by him shall be at liberty at all times to enter on the ship and inspect her and her fittings and the provisions and stores in her.

9. (1) A ship intended to carry passengers shall not commence a voyage from a port or place appointed under this Act, unless the master holds two certificates to the effect mentioned in the two next following sections.

(2) The officer whose duty it is to grant a port-clearance for the ship shall not grant it unless the master holds those certificates.

10. The first of the certificates (hereinafter called "certificate A") shall state that the ship is seaworthy and properly equipped, fitted and ventilated, and the number of passengers which she is capable of carrying.

11. The second of the certificates (hereinafter called "certificate B") shall state—

- (a) the voyage which the ship is to make, and the intermediate ports, if any, at which she is to touch;
- (b) that she has the proper complement of officers and seamen;
- (c) that food, fuel and pure water over and above what is necessary for the crew, and the other things, if any, prescribed for the ship by the rules under this Act, have been placed on board, of the quality prescribed by the rules, properly packed, and sufficient to supply the passengers on board during the voyage which the ship is to make (including such detention in quarantine as may be probable) according to the scale for the time being prescribed by those rules;
- (d) that the master holds certificate A;
- (e) if the ship is to make a short voyage in a season of foul weather, and to carry

upper-deck passengers, that she is furnished with substantial bulwarks and a double awning or with other sufficient protection against the weather;

(f) if she is to carry passengers to any port in the Red Sea, that she is propelled principally by steam, and, if she is to carry more than one hundred passengers to any such port, that she has on board a medical officer licensed in accordance with the rules under this Act; and

(g) such other particulars, if any, as may be prescribed by those rules.

12. The person by whom certificate A and certificate B are to be granted shall be the officer appointed under section 7.

13. Where the master of a ship produces to that officer either of the following certificates, namely,—

(a) a valid certificate granted by the Board of Trade or by a British Colonial Government, or

(b) a certificate granted under the authority of a British Indian Government, on a date not more than one year before the proposed day of sailing, and in force and applicable to the voyage on which the ship is to proceed or the service on which she is about to be employed,

the officer may, if the particulars required by section 10 are certified thereby, take the certificate as evidence of those particulars, and it shall then be deemed to be a certificate A for the purposes of this Act.

14. (1) After receiving the notice required by section 7, the officer appointed under that section may, if he thinks fit, cause the ship to be surveyed at the expense of the master or owner by competent surveyors, who shall report to him whether the ship is, in their opinion, seaworthy and properly equipped, fitted and ventilated for the voyage which she is to make:

Provided that he shall not cause a ship holding a certificate mentioned in section 13, clause (a) or clause (b), to be surveyed unless, by reason of the ship having met with damage or having undergone alterations, or on other reasonable ground, he considers it likely that she may be found unseaworthy or not properly equipped, fitted or ventilated for the voyage.

(2) If the officer causes a survey to be made of a ship holding any such certificate, and the surveyors report that the ship is seaworthy and properly equipped, fitted and ventilated for the voyage, and that there was no reasonable ground why the officer should have thought it likely that she would be found unseaworthy, or not properly equipped, fitted or ventilated

*The Native Passenger Ships Act, 1887.*

(Chapter II.—Rules for all Voyages.—Sections 15-17. Chapter III.—Rules for Short Voyages.—Sections 18-20. Chapter IV.—Rules for Long Voyages.—Section 21.)

for the voyage, the expense of the survey shall be paid by the Local Government.

15. (1) The officer authorized to grant a certificate under this Act in respect of a ship shall not grant it unless he is satisfied that she has not on board any cargo likely from its quality, quantity or mode of stowage to prejudice the health or safety of the passengers.

(2) But save as aforesaid, and subject to the provisions of sub-section (3), it shall be in the discretion of the officer to grant or withhold the certificate.

(3) In the exercise of that discretion that officer shall be subject to the control of the Local Government, and of any intermediate authority which that Government appoints in this behalf.

16. The master or owner shall post up in a conspicuous part of the ship, so as to be visible to persons on board thereof, a copy of each of the certificates granted under this Act in respect of the ship, and shall keep those copies so posted up throughout the voyage.

17. If an officer appointed in this behalf by the Local Government is satisfied that a passenger has brought on board a ship for his own use food of the quality and in the quantity for the time being prescribed by the rules under this Act, the requirements of this Act respecting the supply of food for passengers shall not apply so far as regards the supply of food for that passenger.

## CHAPTER III.

## RULES FOR SHORT VOYAGES.

18. (1) For seasons of fair weather, a ship performing a short voyage shall, subject to the provisions of this Act, contain in the between-decks at least six superficial feet and thirty-six cubic feet of space available for every between-decks passenger, and on the upper-deck at least four superficial feet available for each such passenger and six superficial feet available for each upper-deck passenger.

(2) For seasons of foul weather, a ship propelled by sails and performing a short voyage shall, subject as aforesaid, contain in the between-decks at least twelve superficial feet and seventy-two cubic feet of space available for every between-decks passenger, and on the upper-deck at least four superficial feet available for each such passenger and twelve superficial feet available for each upper-deck passenger.

(3) For seasons of foul weather, a ship propelled by steam, or partly by steam and partly by sails, and performing a short voyage, shall, subject as aforesaid, contain in the between-decks at least nine superficial feet and fifty-four cubic feet of space available for every between-decks passenger, and on the upper-deck at least four superficial feet available for each such passenger and nine superficial feet available for each upper-deck passenger.

(4) But in seasons of foul weather a ship shall not carry upper-deck passengers unless she is furnished with substantial bulwarks and a double awning or with other sufficient protection against the weather.

19. If a ship performing a short voyage takes on board additional passengers at an intermediate place, the master shall obtain from the officer appointed at that port or place under section 7 a supplementary certificate stating—

- (a) the number of passengers so taken on board, and
- (b) that food, fuel and pure water over and above what is necessary for the crew, and the other things, if any, prescribed for the ship by the rules under this Act, have been placed on board, of the quality prescribed by the rules, properly packed, and sufficient to supply the passengers on board during the voyage which the ship is to make (including such detention in quarantine as may be probable) according to the scale for the time being prescribed by those rules:

Provided that, if the certificate B held by the master of the ship states that food, fuel and pure water over and above what is necessary for the crew, and the other things, if any, prescribed for her by the rules under this Act, have been placed on board, of the quality prescribed by the rules, properly packed, and sufficient to supply the full number of passengers which she is capable of carrying, the master shall not be bound to obtain any such supplementary certificate.

20. When the ship reaches her final port or place of arrival, the master shall notify to such officer as the Governor General in Council appoints in this behalf the date and supposed cause of death of every passenger dying on the voyage.

## CHAPTER IV.

## RULES FOR LONG VOYAGES.

21. (1) A ship propelled by sails and performing a long voyage shall, subject to the provisions of this Act, contain in the between-decks at least twelve



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superficial feet and seventy-two cubic feet of space available for every passenger.

(2) A ship propelled by steam, or partly by steam and partly by sails, and performing a long voyage, shall, subject as aforesaid, contain in the between-decks at least nine superficial feet and fifty-four cubic feet of space available for every passenger.

**22.** The master of a ship departing or proceeding on a long voyage from any port or place in British India shall sign two statements, specifying the number and the respective sexes of all the passengers, and the number of the crew, and shall deliver them to the officer appointed under section 7, who shall thereupon, after having first satisfied himself that the numbers are correct, countersign and return to the master one of the statements.

**23.** The master shall note in writing on the statement returned to him, and on any additional statement to be made under the next following section, the date and supposed cause of death of any passenger who may die on the voyage, and shall, when the ship arrives at her port or place of destination or at any port or place at which it may be intended to land passengers, and, before any passengers leave the ship, produce the statement, with any additions thereto made, to a person lawfully exercising consular authority on behalf of Her Majesty at the port or place or to the Chief Customs-officer thereat or the officer (if any) appointed there under section 7.

**24.** (1) In either of the following cases, namely,—

(a) if after the ship has departed or proceeded on a long voyage any additional passengers are taken on board at a port or place within British India appointed under this Act for the embarkation of passengers, or

(b) if the ship upon her voyage touches or arrives at any such port or place, having previously received on board additional passengers at any place beyond British India,

the master shall obtain a fresh certificate to the effect of certificate B from the officer appointed at that port or place under section 7, and shall make additional statements specifying the number and the respective sexes of all the additional passengers.

(2) All the foregoing provisions of this Act with respect to certificate B and statements concerning passengers shall be applicable to any certificate granted or statement made under this section.

**25.** A ship carrying passengers from or to any port in British India to or from any port in the Red Sea shall be propelled principally by steam.

**26.** A ship carrying more than one hundred passengers from or to any port in British India to or from any port in the Red Sea shall have on board a medical officer licensed in accordance with the rules under this Act.

**27.** A ship carrying passengers from or to any port in British India other than Aden to or from any port in the Red Sea shall touch at Aden, and shall not leave that port without having obtained from the proper authority a clean bill of health.

**28.** The authority at Aden empowered to grant the bill of health shall refuse to grant it if the ship has on board a greater number of passengers than the number allowed for the ship by or under this Act, and may refuse to grant it if the requirements of any rule under this Act are not complied with on board the ship.

**29.** In the case of a ship carrying passengers from any port in British India other than Aden to any port in the Red Sea, the officer whose duty it is to grant a port-clearance for the ship shall not grant the clearance unless and until the master, owner or agent of the ship and two sureties resident in British India have executed in favour of the Secretary of State for India in Council a joint and several bond, for the sum of five thousand rupees, conditioned—

(a) that the ship shall touch at Aden on the outward voyage and there obtain a clean bill of health, and shall do the same on the homeward voyage if the ship continues to carry more than sixty passengers, and

(b) that the master and medical officer (if any) of the ship shall comply with, on the outward voyage, and also on the homeward voyage if the ship continues to carry more than sixty passengers, the provisions of this Act and of such rules relating to ships carrying passengers between ports in British India and ports in the Red Sea as the Governor General in Council may make under this Act.

**30.** (1) The Local Government may direct that no passenger shall be received on board any ship or any ship of a specified class carrying passengers from any port in British India to any port in the Red Sea unless and until the passenger has been inspected, at such time and place, and in such manner, as the Local Government may fix in this behalf, by a medical officer to be appointed by that Government for the purpose.

*The Native Passenger Ships Act, 1887.**(Chapter V.—Penalties.—Sections 31-38.)*

(2) If in the opinion of the officer making an inspection under this section a passenger is suffering from any dangerously infectious or contagious disease, the passenger shall not be permitted to embark.

## CHAPTER V.

## PENALTIES.

**31. If a ship departs or proceeds on a voyage from, or discharges passengers at, any port or place within British India in contravention of the provisions of section 6, sub-section (1), or section 9, or if a person is received as a passenger on board a ship in contravention of the provisions of section 6, sub-section (2), the master or owner shall, for every passenger carried in the ship, or for every passenger so discharged or received on board, be punished with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to one month, or with both, and the ship, if found within two years in any port or place within British India, may be seized and detained by a Chief Customs-officer until the penalties incurred under this Act by her master or owner have been adjudicated, and the payment of the fines imposed on him under this Act, with all costs, has been enforced, under the provisions of this Act:**

Penalty for ship unlawfully departing or receiving passengers on board.

Provided that the aggregate term of imprisonment awarded under this section shall not exceed one year.

**32. If a person impedes or refuses to allow the entry or inspection authorized by or under this Act, he shall be punished with fine which may extend to five hundred rupees for each offence, or with imprisonment for a term which may extend to three months, or with both.**

Penalty for opposing entry on or inspection of ships.

**33. If a master or owner without reasonable excuse, the burden of proving which shall lie upon him, fails to comply with the requirements of section 16 with respect to the posting of copies of certificates, he shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.**

Penalty for not exhibiting copy of certificates.

**34. If a master fails to comply with any of the requirements of section 22 or section 23, as to the statements concerning passengers, or wilfully makes any false entry or note in or on any such statement, or without reasonable excuse, the burden of proving which shall lie upon him, fails to obtain any such supplementary certificate as is mentioned in section 19, or to report**

Penalty for not complying with requirements as to statements concerning passengers and certain other matters.

deaths as required by section 20, or to obtain any such fresh certificate, or to make any such statement of the number of additional passengers, as is mentioned in section 24, he shall be punished with fine which may extend to five hundred rupees for every such offence, or with imprisonment for a term which may extend to three months, or with both.

**35. If a master, after having obtained any of the certificates mentioned in section 9, section 19 or section 24, fraudulently does or suffers to be done anything whereby the certificate becomes inapplicable to the altered state of the ship, her passengers or other matters to which the certificate relates, he shall be punished with fine which may extend to two thousand rupees, or with imprisonment for a term which may extend to six months, or with both.**

Penalty for fraudulent alteration in ship after certificate obtained.

**36. If a master without reasonable excuse, the burden of proving which shall lie upon him, omits to supply to any passenger the allowance of food, fuel and water prescribed by the rules under this Act, he shall be punished with fine which may extend to twenty rupees for every passenger who has sustained detriment by the omission.**

Penalty for failing to supply passengers with prescribed provisions.

**37. (1) If a ship carrying passengers to or from any port or place in British India has on board a number of passengers which is greater than the number allowed for the ship by or under this Act, the master and owner shall, for every passenger over and above that number, be each punished with fine which may extend to twenty rupees, and the master shall further be liable to imprisonment for a term which may extend to one week in respect of each such passenger:**

Penalty for having excessive number of passengers on board.

Provided that the aggregate term of imprisonment awarded under this section shall not exceed six months.

**(2) Any officer authorized in this behalf by the Local Government may cause all passengers over and above the number allowed by or under this Act to disembark and may forward them to any port at which they may have contracted to land, and recover the cost of so forwarding them from the master or owner of the ship as if the cost were a fine imposed under this Act, and a certificate under the hand of that officer shall be conclusive proof of the amount of the cost aforesaid.**

**38. If a ship carrying passengers from any port or place beyond British India to any port or place in British India has on board a number of passengers greater either than the number allowed for the ship by or under this Act or than the number allowed by the license or certificate, if any, granted**

Penalty for bringing passengers from foreign port in excess of authorized number.

*The Native Passenger Ships Act, 1887.**(Chapter V.—Penalties.—Sections 39-50.)*

in respect of the ship at her port or place of departure, the master and owner shall, for every passenger in excess of that number, be each punished with fine which may extend to twenty rupees.

**39.** If the master of a ship lands any passenger at any port or place other than the port or place at which the passenger may have contracted to land, unless with his previous consent, or unless the landing is made necessary by perils of the sea or other unavoidable accident, the master shall, for every such offence, be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.

**40.** If a ship, otherwise than by reason of perils of the sea or other unavoidable accident, touches at any port or place in contravention of any express or implied contract or engagement with the passengers with respect to the voyage which the ship was to make and the time which that voyage was to occupy, whether the contract or engagement was made by public advertisement or otherwise, the master and owner shall each be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

**41.** If a ship carrying passengers from or to any port in British India to or from any port in the Red Sea is not propelled principally by steam as required by section 25, the master and owner shall each be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.

**42.** If a ship carrying more than one hundred passengers from or to any port in British India to or from any port in the Red Sea has not on board a medical officer as required by section 26, the master of the ship shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

**43.** If in the case of a ship to which section 27 applies the master without reasonable excuse, the burden of proving which shall lie upon him, fails to touch at Aden, or leaves that port without having obtained a bill of health under that section, he shall, for every such offence, be punished with fine which may extend to two thousand rupees, or with imprisonment for a term which may extend to six months, or with both.

**44.** If in the case of any such ship as is referred to in the last foregoing section the master or the medical officer, if any, of the ship without reasonable excuse, the burden of proving which shall lie upon him, breaks, or omits or neglects to obey, any rule under this Act applicable to the ship, he shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

**45.** If the master of a ship to which a direction under section 30 applying passenger in contravention of section 30. on board the ship any person in contravention of that section, he shall be punished with fine which may extend to five hundred rupees for each person so received, or with imprisonment which may extend to three months, or with both.

*Procedure.*

**46.** (1) Offences against this Act shall be punishable by a Magistrate.

(2) If the person on whom a fine is imposed under this Act is the master or owner of a ship, and the fine is not paid at the time and in the manner prescribed by the order of payment, the Magistrate may, in addition to the ordinary means prescribed by law for enforcing payment, direct by warrant the amount remaining unpaid to be levied by distress and sale of the ship, her tackle, furniture and apparel.

**47.** For the purpose of the adjudication of penalties under this Act, every offence against its provisions shall be deemed to have been committed within the limits of the jurisdiction of the Magistrate of the place where the offender is found.

**48.** The penalties to which masters and owners of ships are made liable by this Act shall be enforced only on information laid at the instance of officers appointed to grant certificates under this Act, or, at any port or place where there is no such officer, at the instance of the Chief Customs-officer.

**49.** A Magistrate imposing a fine under this Act may, if he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any detriment which he may have sustained by the act or default in respect of which the fine is imposed, or in or towards payment of the expenses of the prosecution.

**50.** (1) Whenever in the course of any legal proceeding under this Act the testimony of a witness is required in relation to the subject-matter of the proceeding, any deposition

*The Native Passenger Ships Act, 1887.**(Chapter VI.—Supplemental Provisions.—Sections 51-5 .)*

which he may have previously made in relation to the same subject-matter before any Justice or Magistrate in Her Majesty's dominions (including all parts of India other than those subject to the same Local Government as the port or place where the proceeding is instituted), or before any British consular officer elsewhere, shall be admissible in evidence on proof that the witness cannot be found within the jurisdiction of the Court in which the proceeding is instituted:

Provided that the deposition shall not be admissible unless—

- (a) it is authenticated by the signature of the Justice, Magistrate or consular officer;
- (b) it was made in the presence of the person accused; and
- (c) the fact that it was so made is certified by the Justice, Magistrate or consular officer.

(2) It shall not be necessary in any case to prove the signature or official character of the person appearing to have signed any such deposition; and in any criminal proceeding such certificate as aforesaid shall, unless the contrary is proved, be sufficient evidence of the accused having been present in manner thereby certified.

## CHAPTER VI.

## SUPPLEMENTAL PROVISIONS.

51. (1) The Chief Customs-officer, or other officer, if any, appointed by the Local Government in this behalf, at any port or place within British India at which a ship carrying passengers touches or arrives, shall, with advertence to the provisions of this Act, send any particulars which he may deem important respecting the ship, and the passengers carried therein, to the officer at the port or place from which the ship commenced her voyage, and to the officer at any other port or place within British India where the passengers or any of them embarked or are to be discharged.

(2) The Chief Customs-officer, or other officer, if any, appointed by the Local Government in this behalf, at any port or place in British India at which a ship to which this Act applies touches or arrives, may enter on the ship and inspect her in order to ascertain whether the provisions of this Act as to the number of passengers and other matters have been complied with.

52. In any proceeding for the adjudication of any penalty incurred under this Act any document purporting to be a report of such particulars as are referred to in sub-section (1) of the last foregoing section, or a copy of the proceedings of any Court of Justice duly authenticated, and also any like document purporting to be made and signed by any person lawfully exercising consular authority on behalf

of Her Majesty in any foreign port, shall be received in evidence, if it appears to have been officially transmitted to any officer at or near the place where the proceeding under this Act is had.

53. (1) The Governor General in Council may make rules consistent with this Act to regulate, in the case of any ship or class of ships, all or any of the following matters:—

- (a) the scale on which food, fuel and water are to be supplied to the passengers or to any class or classes of passengers, and the quality of the food, fuel and water;
  - (b) the medical stores and other appliances and fittings to be provided on board for maintaining health, cleanliness and decency;
  - (c) the licensing and appointment of medical officers in cases where they are required by this Act to be carried;
  - (d) the boats, anchors and cables to be provided on board;
  - (e) the instruments for purposes of navigation to be supplied;
  - (f) the apparatus for the purpose of extinguishing fires on board and the precautions to be taken to prevent such fires;
  - (g) the provision of appliances for saving life and of means for making signals of distress, and the supply of lights inextinguishable in water and fitted for attachment to life-buoys;
  - (h) the functions of the master, medical officer (if any) and other officers of the ship during the voyage;
  - (i) the access of between-decks passengers to the upper deck; and
  - (j) generally, to carry out the purposes of this Act.
- (2) The Local Government may, with the previous sanction of the Governor General in Council, make rules consistent with this Act to regulate, in the case of any ship or class of ships,—
- (a) the local limits within which, and the time and mode at and in which, passengers are to be embarked or discharged at any port or place appointed under this Act in that behalf; and
  - (b) the time within which the ship or any ship of the class is to depart or proceed on her voyage after commencing to take passengers on board.
- (3) In making a rule under this section the authority making it may direct that a breach of it shall be punishable with fine which may extend to two hundred rupees, and when the breach is a continuing breach with a further fine which may

*The Native Passenger Ships Act, 1887.**(Chapter VI.—Supplemental Provisions.—Sections 54-57.) (Schedule.—Enactments repealed.)*

extend to twenty rupees for every day after the first during which the breach continues.

(4) The power to make rules under this section is subject to the condition of the rules being made after previous publication.

54. The Local Government shall appoint such persons as it thinks fit to exercise and perform the powers and duties which are conferred and imposed by this Act or may be conferred and imposed thereunder.

55. The Governor General in Council may declare, by notification in the Gazette of India, what shall be deemed to be, for the purposes of this Act, "seasons of fair weather" and "seasons of foul weather", and, for sailing-ships and steam-ships respectively, a "long voyage" and a "short voyage".

56. The Governor General in Council may by order prescribe in the case of any ship or class of ships and for all or any voyages the number of superficial or of cubic feet of space to be available for passengers; and the order shall be alternative to, or override, as the Governor General in Council may direct, the provisions of sections 18 and 21 so far as they apply to that ship or class of ships.

57. (1) The Local Government, with the previous sanction of the Governor General in Council, may, subject to such conditions as it thinks fit, exempt any ship or class of ships from any provision of this Act.

(2) In imposing a condition under this section the Local Government may direct that a breach of it shall be punishable with fine which may extend to two hundred rupees, and when the breach is a continuing breach with a further fine which may extend to twenty rupees for every day after the first during which the breach continues.

## SCHEDULE.

## ENACTMENTS REPEALED.

*(See section 4.)*

Number and year.	Title.	Extent of repeal.
VIII of 1876	Native Passenger Ships Act, 1876.	The whole.
XVII of 1883	Native Passenger Ships Act, 1883.	The whole.
VII of 1884	Indian Steam-ships Act, 1884.	Section 41.

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

The following Report of the Select Committee on the Bill to consolidate and amend the law relating to Native Passenger Ships, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 11th February, 1887:—

## LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to consolidate and amend the law relating to Native Passenger Ships was referred, have considered the Bill and the papers noted on the margin, and have now the honour to submit this our Report.

From Secretary for Berar to Resident, Hyderabad, No. 326, dated 13th September, 1886 [Paper No. 1].  
 From Officiating Secretary to Chief Commissioner, Central Provinces, No. 4310-253, dated 22nd September, 1886 [Paper No. 2].  
 From Secretary to Chief Commissioner, Assam, No. 2039, dated 24th September, 1886 [Paper No. 3].  
 From Secretary to Government, Punjab, No. 1036, dated 22nd October, 1886 [Paper No. 4].  
 From Chief Commissioner, Ajmere-Merwara, No. 1225-690-II., dated 23rd October, 1886 [Paper No. 5].  
 From Secretary to Chief Commissioner, Coorg, No. 1903-3936, dated 22nd October, 1886 [Paper No. 6].  
 From Chief Secretary to Government, Madras, No. 2880, dated 25th October, 1886, and enclosures [Papers No. 7].  
 From Secretary to Chief Commissioner, Burma, No. 27-51 M. S., dated 2nd November, 1886 [Paper No. 8].  
 From Under Secretary to Government, North-Western Provinces and Oudh, No. 860-VII-342, dated 12th November, 1886 [Paper No. 9].  
 From Acting Secretary to Government, Bombay, No. 3980, dated 15th November, 1886, and enclosures [Papers No. 10].  
 From Registrar, High Court, Calcutta, No. 2607, dated 24th November, 1886 [Paper No. 11].  
 Endorsement by Government, Madras, No. 3000, dated 10th November, 1886, and enclosure [Papers No. 12].  
 From Officiating Secretary to Government, Bengal, No. 3264, dated 10th December, 1886, and enclosures [Papers No. 13].

the Act is not to apply, and we have omitted as redundant the clause in sub-section (2) declaring the Act not to apply to sailing-ships carrying not more than thirty passengers.

2. Section 2.  
 —We have described more particularly the ships belonging to or in the service of Her Majesty to which



3. *Section 5.*—We have re-cast the definition of "passenger", and so amended that of "voyage" as to render unnecessary the *Illustration* to the definition of "short voyage". We have also modified, but not materially altered, the definitions of "Chief Customs-officer" and "Magistrate".

4. *Section 30, sub-section (1).*—We have inserted the words "and in such manner" with the object of enabling Local Governments to issue suitable instructions with respect to the medical inspection of women embarking on passenger-ships.

5. *Chapter V.*—On the suggestion of the Solicitor to the Government of Bombay, we have thrown on the accused the burden of proving that certain infractions of the Act were unintentional or inevitable.

From section 38 (section 37 of Bill as revised by us) we have removed certain words which had reference to the frame of the Native Passenger Ships Act of 1870 rather than of the Act of 1876 or of the Bill.

By the same section we have empowered local authorities to forward passengers landed from an overcrowded ship to any port at which they had contracted to land, whether that port is within or beyond the limits of British India.

6. *Section 51.*—We have required information respecting the state of passenger-ships to be sent not only to ports of departure but also to ports of destination.

7. *Section 53.*—We have specially provided in sub-section (1) that the Governor General in Council may make rules to regulate the supply of appliances for saving life, and in sub-section (2) that rules under that sub-section are to be made with the previous sanction of the Governor General in Council. In the latter sub-section we have further provided that rules may be made as to the time within which ships are to depart or proceed on their voyages after commencing to take passengers on board.

8. *Section 56 (formerly section 57).*—We have provided that orders made by the Governor General in Council under this section may be alternative to, or override, the provisions of sections 18 and 21.

9. *Section 57 (formerly section 58).*—We have added a sub-section providing for the enforcement of the conditions subject to which ships may be exempted from any of the provisions of the Act.

10. The publication ordered by the Council has been made as follows:—

*In English.*

<i>Gazette.</i>	<i>Date.</i>
Gazette of India	28th August, and 4th and 11th September, 1886.
Fort Saint George Gazette	17th September, 1886.
Bombay Government Gazette	2nd October, 1886.
Calcutta Gazette	8th, 15th and 22nd September, 1886.
North-Western Provinces and Oudh Government Gazette	4th, 11th and 18th September, 1886.
Punjab Government Gazette	2nd, 9th and 16th September, 1886.
Central Provinces Gazette	4th, 11th and 18th September, 1886.
Burma Gazette	18th and 25th September, and 2nd October, 1886.
Assam Gazette	18th and 25th September, and 2nd October, 1886.
Coorg District Gazette	1st October, 1886.

*In the Vernaculars.*

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Madras	Tamil	4th January, 1887.
	Telugu	21st December, 1886.
Bombay	Malayalam	18th January, 1887.
	Maráthi	18th November, 1886.
	Gujaráthi	18th November, 1886.
	Kanarese	18th November, 1886.
Bengal	Bengali	9th and 16th September, 1886.
	Hindi	16th, 23rd and 30th September, 1886.
	Uriya	18th and 25th November, and 2nd December, 1886.

11. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

A. COLVIN.

J. B. PEILE.

ANDREW R. SCOBLE.

ROBERT STEEL.

SYUD AMEER HOSSEIN.

The 11th February, 1887.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



MEMO.

Please substitute the accompanying for  
the corresponding pages of the Gazette of  
India, Part IV, dated 26th February  
1887.

## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 25th February, 1887, and is hereby promulgated for general information:—

## ACT NO. XI OF 1887.

*An Act to provide for the regulation of traffic on the Sindh-Pishin Section of the North-Western Railway.*

WHEREAS It is inexpedient that the Indian Railway Act, 1879, so far as it applies to that part of the Sindh-Pishin section of the North-Western Railway which lies beyond the Province of Sindh, should apply thereto in its entirety; It is hereby enacted as follows:—

1. (1) This Act may be called the Sindh-Pishin Railway Act, 1887.

(2) It shall extend to all persons for whom the Governor General in Council has power to make laws and regulations at meetings for that purpose; and

(3) It shall come into force at once.

2. In the following sections of this Act, "railway" means that part of the Sindh-Pishin section of the North-Western Railway which, whether completed at the commencement of this Act or not, lies beyond the Province of Sindh.

3. (1) Unless and until extended under this section, no portion of the Indian Railway Act, 1879, IV of 1879 shall apply to any part of the railway.

(2) The Governor General in Council may, by notification in the Gazette of India, extend to the railway or any part thereof such portions of that Act as he thinks fit.

(3) In extending any portion of that Act to the railway or any part thereof the Governor General in Council may extend it subject to such modifications as he thinks fit.

4. (1) No person shall be entitled, as of right, to be carried on the railway carriage of passengers and property or to have property carried thereon; permissive only.

(2) But the carriage of passengers and property on the railway shall be permitted subject to such conditions and restrictions as the Governor General in Council may prescribe.

5. Where any person or property is permitted to be carried on the railway, the Government shall not be responsible for any injury which may happen to the person, or for any loss or damage which may occur in respect of the property, unless the injury happens, or the loss or damage occurs, on a part of the railway with respect to which the Governor General in Council has, by notification in the Gazette of India, announced that the Government accepts responsibility, to such extent as may be described in the notification, for injury happening, or loss or damage occurring, thereon.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

### STATEMENT OF OBJECTS AND REASONS.

THE Sindh-Pishin section of the North-Western Railway has been constructed for strategic purposes, and must be at times exclusively, and always preferentially, appropriated to the conveyance of troops, followers and military material and stores. Moreover, from the nature of the country through which the railway passes, some portions of the line are such as to render the risk of accident necessarily greater for a time at least than on ordinary railways.

In these circumstances it is proposed to enact that only such provisions of the Indian Railway Act, 1879, shall extend to this line as the Governor General in Council may consider it desirable to apply thereto. The Government does not propose to open the line generally for the conveyance of passengers and goods under ordinary conditions, but reserves the right to limit its responsibility for injury to the person, or loss of or damage to property, on certain portions of the line, which, as already remarked, was primarily designed for other purposes. Precedent for limiting the extent of the pecuniary responsibility of proprietors of railways for injury to the person is to be found in the Massachusetts Statutes of 1840 and in the New York Laws of 1847, and in regard to goods in the special contract permitted by the Indian Railway Act, 1879. But even if such precedents did not exist the circumstances of the case are such as to require legislation.

As a considerable part of the line lies in the territory of the Khán of Kalat and the proposed Act will not, as an Act of the Council of the Governor General for making Laws and Regulations, apply to the subjects of the Khán in that territory, it is proposed, by executive order made in exercise of the jurisdiction conferred by treaty on the Governor General in Council, to notify hereafter the substance of the proposed Act to be in force on the portion of the line which lies within Kalat.

*The 24th February, 1887.*

T. C. HOPE.

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*



# The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, MARCH 12, 1887.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART IV.

Acts of the Governor General's Council assented to by the Governor General.

### GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th March, 1887, and is hereby promulgated for general information :—

ACT NO. XII OF 1887.

THE BENGAL, NORTH-WESTERN PROVINCES AND ASSAM CIVIL COURTS ACT, 1887.

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*An Act to consolidate and amend the law relating to Civil Courts in Bengal, the North-Western Provinces and Assam.*

WHEREAS it is expedient to consolidate and amend the law relating to Civil Courts in Bengal, the North-Western Provinces and Assam; It is hereby enacted as follows:—

## CHAPTER I.

## PRELIMINARY.

1. (1) This Act may be called the Bengal, Title, extent and commencement. North-Western Provinces and Assam Civil Courts Act, 1887.

(2) It extends to the territories for the time being respectively administered by the Lieutenant-Governor of Bengal, the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Assam, except such portions of those territories as for the time being are not subject to the ordinary civil jurisdiction of the High Courts, and except the Jhānsī Division; and

(3) It shall come into force on the first day of July, 1887.

VI of 1871.

2. (1) The Bengal Civil Courts Act, 1871, and Act No. XIX of 1877 (to enable certain District Judges to suspend and remove certain ministerial officers, and for other purposes), section 1, are hereby repealed.

(2) But all Courts constituted, appointments, nominations, rules and orders made, jurisdiction and powers conferred and lists published under the Bengal Civil Courts Act, 1871, or any enactment thereby repealed, or purporting expressly or impliedly to have been so constituted, made, conferred and published, shall be deemed to have been respectively constituted, made, conferred and published under this Act; and

(3) Any enactment or document referring to the Bengal Civil Courts Act, 1871, or to any enactment thereby repealed, shall be construed to refer to this Act or to the corresponding portion thereof.

## CHAPTER II.

## CONSTITUTION OF CIVIL COURTS.

3. There shall be the following classes of Civil Courts under this Act, namely:—

- (1) the Court of the District Judge;
- (2) the Court of the Additional Judge;
- (3) the Court of the Subordinate Judge; and
- (4) the Court of the Munsif.

4. The Local Government may, with the previous sanction of the Governor General in Council, increase or reduce the number of District Judges and Subordinate Judges now fixed.

5. The Local Government may, subject to the control of the Governor General in Council, alter the number of Munsifs now fixed:

Provided that, except in the case of Munsifs whose monthly salary does not exceed two hundred and fifty rupees, an increase of the number of Munsifs now fixed shall not be made by the Local Government without the previous sanction of the Governor General in Council.

6. (1) Whenever the office of District Judge or Subordinate Judge is vacant by reason of the death, resignation or removal of the Judge or other cause, or whenever the Governor General in Council has sanctioned an increase of the number of District Judges or Subordinate Judges, the Local Government may fill up the vacancy or appoint the additional District Judges or Subordinate Judges, as the case may be.

(2) Nothing in this section shall be construed to prevent a Local Government from appointing a District Judge or Subordinate Judge to discharge for such period as it thinks fit, in addition to the functions devolving on him as such District Judge or Subordinate Judge, all or any of the functions of another District Judge or Subordinate Judge, as the case may be.

7. (1) Whenever the office of Munsif is vacant, or whenever the Local Government increases the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the Local Government shall appoint him accordingly.

(2) The Local Government may, after consultation with the High Court and with the previous sanction of the Governor General in Council, make rules as to the qualifications of persons to be appointed to the office of Munsif.

(3) When rules have been made under subsection (2), a person shall not be nominated under subsection (1) unless he possesses the qualifications required by the rules.

*The Bengal, North-Western Provinces and Assam Civil Courts Act, 1887.*

*(Chapter II.—Constitution of Civil Courts.—Sections 8-15.)*

8. (1) When the business pending before any District Judge requires the aid of Additional Judges for its speedy disposal, the Local Government may, upon the recommendation of the High Court and with the previous sanction of the Governor General in Council, appoint such Additional Judges as may be requisite.

(2) Additional Judges so appointed shall discharge any of the functions of a District Judge which the District Judge may assign to them, and, in the discharge of those functions, they shall exercise the same powers as the District Judge.

9. Subject to the superintendence of the High Court, the District Judge shall have administrative control over all the Civil Courts under this Act within the local limits of his jurisdiction.

10. (1) In the event of the death, resignation or removal of the District Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the place at which his Court is held, the Additional Judge, or, if an Additional Judge is not present at that place, the senior Subordinate Judge present thereat, shall, without relinquishing his ordinary duties, assume charge of the office of the District Judge, and shall continue in charge thereof until the office is resumed by the District Judge or assumed by an officer appointed thereto.

(2) While in charge of the office of the District Judge, the Additional Judge or Subordinate Judge, as the case may be, may, subject to any rules which the High Court may make in this behalf, exercise any of the powers of the District Judge.

11. (1) In the event of the death, resignation or removal of a Subordinate Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the place at which his Court is held, the District Judge may transfer all or any of the proceedings pending in the Court of the Subordinate Judge either to his own Court or to any Court under his administrative control competent to dispose of them.

(2) Proceedings transferred under sub-section (1) shall be disposed of as if they had been instituted in the Court to which they are so transferred:

(3) Provided that the District Judge may re-transfer to the Court of the Subordinate Judge or his successor any proceedings transferred under sub-section (1) to his own or any other Court.

(4) For the purposes of proceedings which are not pending in the Court of the Subordinate

Judge on the occurrence of an event referred to in sub-section (1), and with respect to which that Court has exclusive jurisdiction, the District Judge may exercise all or any of the jurisdiction of that Court.

12. (1) A District Judge, on the occurrence within the local limits of his jurisdiction of any vacancy in the office of Munsif, may appoint such person as he thinks fit to act in the office until that person is relieved by a Munsif appointed under section 7 or his appointment is cancelled by the District Judge.

(2) The District Judge shall forthwith report to the High Court the occurrence of every such vacancy and the making and cancelling of every such appointment.

13. (1) The Local Government may, by notification in the official Gazette, fix and alter the local limits of the jurisdiction of any Civil Court under this Act.

(2) If the same local jurisdiction is assigned to two or more Subordinate Judges or to two or more Munsifs, the District Judge may assign to each of them such civil business cognizable by the Subordinate Judge or Munsif, as the case may be, as, subject to any general or special orders of the High Court, he thinks fit.

(3) When civil business arising in any local area is assigned by the District Judge under sub-section (2) to one of two or more Subordinate Judges or to one of two or more Munsifs, a decree or order passed by the Subordinate Judge or Munsif shall not be invalid by reason only of the case in which it was made having arisen wholly or in part in a place beyond the local area if that place is within the local limits fixed by the Local Government under sub-section (1).

(4) A Judge of a Court of Small Causes appointed to be also a Subordinate Judge or Munsif is a Subordinate Judge or Munsif, as the case may be, within the meaning of this section.

(5) The present local limits of the jurisdiction of every Civil Court under this Act shall be deemed to have been fixed under this section.

14. (1) The Local Government may, by notification in the official Gazette, fix and alter the place or places at which any Civil Court under this Act is to be held.

(2) All places at which any such Courts are now held shall be deemed to have been fixed under this section.

15. (1) Subject to such orders as may be made by the Governor General in Council, the High Court shall prepare a list of days to be observed in each year as close holidays in the Civil Courts.



*The Bengal, North-Western Provinces and Assam Civil Courts Act, 1887.*

(Chapter II.—*Constitution of Civil Courts.*—Sections 16-17. Chapter III.—*Ordinary Jurisdiction.*—Sections 18-21. Chapter IV.—*Special Jurisdiction.*—Sections 22-23.)

(2) The list shall be published in the local official Gazette.

(3) A judicial act done by a Civil Court on a day specified in the list shall not be invalid by reason only of its having been done on that day.

16. Every Civil Court under this Act shall use

Seals of Courts. a seal of such form and dimensions as are prescribed by the Local Government.

17. (1) Where any Civil Court under this Act has from any cause ceased to have jurisdiction with respect to any case, any proceeding in relation to that case which, if that Court had not ceased to have jurisdiction, might have been had therein may be had in the Court to which the business of the former Court has been transferred.

(2) Nothing in this section applies to cases for which provision is made in section 623 or section 649 of the Code of Civil Procedure or in any other enactment for the time being in force.

XIV of 1882.

### CHAPTER III.

#### ORDINARY JURISDICTION.

18. Save as otherwise provided by any enactment for the time being in force, the jurisdiction of a District Judge or Subordinate Judge extends, subject to the provisions of section 15 of the Code of Civil Procedure, to all original suits for the time being cognizable by Civil Courts.

XIV of 1882.

19. (1) Save as aforesaid, and subject to the provisions of sub-section (2), the jurisdiction of a Munsif extends to all like suits of which the value does not exceed one thousand rupees.

(2) The Local Government may, on the recommendation of the High Court, direct by notification in the official Gazette, with respect to any Munsif named therein, that his jurisdiction shall extend to all like suits of such value not exceeding two thousand rupees as may be specified in the notification.

20. (1) Save as otherwise provided by any enactment for the time being in force, an appeal from a decree or order of a District Judge or Additional Judge shall lie to the High Court.

(2) An appeal shall not lie to the High Court from a decree or order of an Additional Judge in any case in which, if the decree or order had been made by the District Judge, an appeal would not lie to that Court.

Appeals from Subordinate Judges and Munsifs. 21. (1) Save as aforesaid, an appeal from a decree or order of a Subordinate Judge shall lie—

(a) to the District Judge where the value of the original suit in which or in any proceeding arising out of which the decree or order was made did not exceed five thousand rupees, and

(b) to the High Court in any other case.

(2) Save as aforesaid, an appeal from a decree or order of a Munsif shall lie to the District Judge.

(3) Where the function of receiving any appeals which lie to the District Judge under sub-section (1) or sub-section (2) has been assigned to an Additional Judge, the appeals may be preferred to the Additional Judge.

(4) The High Court may, with the previous sanction of the Local Government, direct, by notification in the official Gazette, that appeals lying to the District Judge under sub-section (2) from all or any of the decrees or orders of any Munsif shall be preferred to the Court of such Subordinate Judge as may be mentioned in the notification, and the appeals shall thereupon be preferred accordingly.

### CHAPTER IV.

#### SPECIAL JURISDICTION.

22. (1) A District Judge may transfer to any Subordinate Judge under his administrative control any appeals pending before him from the decrees or orders of Munsifs.

(2) The District Judge may withdraw any appeal so transferred, and either hear and dispose of it himself or transfer it to a Court under his administrative control competent to dispose of it.

(3) Appeals transferred under this section shall be disposed of subject to the rules applicable to like appeals when disposed of by the District Judge.

23. (1) The High Court may, by general or special order, authorize any Subordinate Judge or Munsif to take cognizance of, or any District Judge to transfer to a Subordinate Judge or Munsif under his administrative control, any of the proceedings next hereinafter mentioned or any class of those proceedings specified in the order.

(2) The proceedings referred to in sub-section (1) are the following, namely:—

(a) proceedings under Bengal Regulation V, 1799 (to limit the interference of the

Exercise by Subordinate Judge or Munsif of jurisdiction of District Court in certain proceedings.

*The Bengal, North-Western Provinces and Assam Civil Courts Act, 1887.*

(Chapter IV.—Special Jurisdiction.—Sections 24-25. Chapter V.—Misfeasance.—Sections 26-29. Chapter VI.—Ministerial Officers.—Section 30.)

*Zillah and City Courts of Dewanny Adawlut in the Execution of Wills and Administration to the Estates of persons dying intestate);*

- (b) proceedings under Act XL of 1858 (for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal), or Act IX of 1861 (to amend the law relating to Minors);
- (c) applications for certificates under Act No. XXVII of 1860 (for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons);
- (d) proceedings under the Indian Succession Act, 1865, and the Probate and Administration Act, 1881, which cannot be disposed of by District Delegates; and
- (e) references by Collectors under section 322C of the Code of Civil Procedure.

X of 1865.  
V of 1881.

XIV of 1882.

(3) The District Judge may withdraw any such proceedings taken cognizance of by, or transferred to, a Subordinate Judge or Munsif, and may either himself dispose of them or transfer them to a Court under his administrative control competent to dispose of them.

24. (1) Proceedings taken cognizance of by, or transferred to, a Subordinate Judge or Munsif, as the case may be, under the last foregoing section shall be disposed of by him subject to the rules applicable to like proceedings when disposed of by the District Judge:

Provided that an appeal from an order of a Munsif in any such proceeding shall lie to the District Judge.

(2) An appeal from the order of the District Judge on the appeal from the order of the Munsif under this section shall lie to the High Court if a further appeal from the order of the District Judge is allowed by the law for the time being in force.

25. The Local Government may, by notification in the official Gazette, confer, within such local limits as it thinks fit, upon any Subordinate Judge or Munsif the jurisdiction of a Judge of a Court of Small Causes under the Provincial Small Cause Courts Act, 1887, for the trial of suits cognizable by such Courts, up to such value not exceeding five hundred rupees in the case of a Subordinate Judge or one hundred rupees in the case of a Munsif as it thinks fit, and may withdraw any jurisdiction so conferred.

IX of 1887.

## CHAPTER V.

## MISFEASANCE.

26. Any District Judge, Additional Judge, Subordinate Judge or Munsif may, for any misconduct, be suspended or removed by the Local Government.

27. (1) The High Court may, whenever it sees urgent necessity for so doing, suspend a Subordinate Judge.

(2) Whenever the High Court suspends a Subordinate Judge under sub-section (1), it shall forthwith report to the Local Government the circumstances of the suspension, and the Local Government shall make such order with respect thereto as it thinks fit.

28. (1) The High Court may appoint a commission for enquiring into alleged misconduct of a Munsif.

(2) On receiving the report of the result of the enquiry, the High Court may, if it thinks fit, remove or suspend the Munsif.

(3) The provisions of Act No. XXXVII of 1850 (for regulating Inquiries into the behaviour of Public Servants) shall apply to inquiries under this section, the powers conferred by that Act on the Government being exercised by the High Court.

(4) The High Court may, before appointing the commission, suspend the Munsif pending the result of the inquiry.

(5) The High Court may, without appointing a commission, remove or suspend a Munsif.

29. (1) A District Judge may, whenever he sees urgent necessity for so doing, suspend a Munsif under his administrative control.

(2) Whenever a District Judge suspends a Munsif under sub-section (1), he shall forthwith report to the High Court the circumstances of the suspension, and the High Court shall make such order with respect thereto as it thinks fit.

## CHAPTER VI.

## MINISTERIAL OFFICERS.

30. District Judges shall appoint the ministerial officers of their Courts, and, subject only to the control of the Local Government, may remove or suspend those officers or fine them in an amount not exceeding one month's salary.

*The Bengal, North-Western Provinces and Assam Civil Courts Act, 1887.*  
 (Chapter VI.—Ministerial Officers.—Sections 31-35. Chapter VII.—Supplemental Provisions.—Sections 36-37.)

Appointment and removal of ministerial officers of other Courts. subject to the administrative control of the District Judge shall be appointed—

31. (1) The ministerial officers of the Civil Courts subject to the administrative control of the District Judge shall be appointed—
- (a) in the case of an appointment not likely to last, and not lasting longer than two months, by those Courts, and
  - (b) in any other case, by the District Judge.
- (2) An Additional Judge, Subordinate Judge or Munsif may, by order, remove or suspend, or fine in an amount not exceeding one month's salary, any ministerial officer of his Court who is guilty of misconduct or neglect in the performance of the duties of his office.

32. The provisions of the two last foregoing sections shall be subject to the following modifications in their application to ministerial officers employed by more Civil Courts than one, namely:—

- (a) appointments not likely to last, and not lasting longer than two months shall be made by the Court of highest class among those Courts, or, where there is no difference in class among those Courts, by the senior among the presiding Judges thereof; and
  - (b) such ministerial officers may not be removed or suspended by any Court except the Court which under clause (a) of this section is for the time being charged with the duty of making appointments to fill temporary vacancies.
33. The District Judge, subject only to the control of the Local Government, may, by order, suspend or remove any ministerial officer to whom section 31 or section 32 applies, and may, on appeal or otherwise, reverse or modify any order made under either of those sections by any Court under his administrative control.

34. (1) The Local Government may, at the instance of the High Court or of a District Judge, transfer a ministerial officer from any Civil Court under this Act to any other such Court.

(2) The District Judge may transfer a ministerial officer from any such Court within the local limits of his jurisdiction to any other such Court within those limits.

35. Any fine imposed under this Chapter may be recovered by deduction from the salary of the person fined.

## CHAPTER VII.

### SUPPLEMENTAL PROVISIONS.

36. (1) The Local Government may invest with the powers of any Civil Court under this Act, by name or in virtue of office,—

(a) any officer in the Chutiá Nágpur, Jalpaigori or Darjiling district, or in any part of the territories administered by the Chief Commissioner of Assam except the district of Silhat, or,

(b) after consultation with the High Court, any officer serving in any other part of the territories to which this Act extends and belonging to a class defined in this behalf by the Local Government with the previous sanction of the Governor General in Council.

(2) Nothing in sections 4 to 8 (both inclusive), or sections 10 to 12 (both inclusive) or sections 27 to 35 (both inclusive) applies to any officer so invested, but all the other provisions of this Act shall, so far as those provisions can be made applicable, apply to him as if he were a Judge of the Court with the powers of which he is invested.

(3) Where, in the territories mentioned in clause (a) of sub-section (1), the same local jurisdiction is assigned to two or more officers invested with the powers of a Munsif, the officer invested with the powers of a District Judge may, with the previous sanction of the Local Government, delegate his functions under sub-section (2) of section 13 to an officer invested with the powers of a Subordinate Judge or to one of the officers invested with the powers of a Munsif.

(4) Where the place at which the Court of an officer invested with powers under sub-section (1) is to be held has not been fixed under section 14, the Court may be held at any place within the local limits of its jurisdiction.

37. (1) Where in any suit or other proceeding it is necessary for a Civil Court to decide any question regarding succession, inheritance, marriage or caste, or any religious usage or institution, the Muhammadan law in cases where the parties are Muhammadans, and the Hindu law in cases where the parties are Hindus, shall form the rule of decision, except in so far as such law has, by legislative enactment, been altered or abolished.

(2) In cases not provided for by sub-section (1) or by any other law for the time being in force, the Court shall act according to justice, equity and good conscience.

*The Bengal, North-Western Provinces and Assam Civil Courts Act, 1887.**(Chapter VII.—Supplemental Provisions.—Sections 38-40.)*

38. (1) The presiding officer of a Civil Court shall not try any suit or other proceeding to which he is a party or in which he is personally interested.

(2) The presiding officer of an appellate Civil Court under this Act shall not try an appeal against a decree or order passed by himself in another capacity.

(3) When any such suit, proceeding or appeal as is referred to in sub-section (1) or sub-section (2) comes before any such officer, the officer shall forthwith transmit the record of the case to the Court to which he is immediately subordinate, with a report of the circumstances attending the reference.

(4) The superior Court shall thereupon dispose of the case under section 25 of the Code of Civil Procedure.

(5) Nothing in this section shall be deemed to affect the extraordinary original civil jurisdiction of the High Court.

39. For the purposes of the last foregoing section the presiding officer of a Court subject to the administrative control of the District Judge shall be deemed to be immediately subordinate to the Court of the District Judge, and, for the purposes of the Code of Civil Procedure, the Court of such an officer shall be deemed to be of a grade inferior to that of the Court of the District Judge.

40. (1) This section and sections 15, 32, 37, 38 and 39 apply to Courts of Provincial Courts of Small Causes constituted under the Provincial Small Cause Courts Act, 1887.

(2) Save as provided by that Act, the other sections of this Act do not apply to those Courts.

S. HARVEY JAMES,

*Off g. Secretary to the Government of India.*

The following Report of the Select Committee on the Bill to consolidate and amend the law relating to Civil Courts in Bengal, the North-Western Provinces and Assam was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 4th March, 1887:—

**LEGISLATIVE DEPARTMENT.**

We, the undersigned, Members of the Select Committee to which the Bill to consolidate and amend the law relating to Civil Courts in Bengal, the North-Western Provinces and Assam was referred, have considered the Bill No. II and the papers noted on the margin, and have now the honour to submit this our further Report.

2. *Section 1.*—We have intitled the proposed Act the Bengal, North-Western Provinces and Assam Civil Courts Act instead of the Bengal Civil Courts Act.

3. *Section 6 (section 7 of Bill as revised by us).*—We have proposed that rules respecting the qualifications of persons to be appointed to the office of Munsif shall be made by the Local Government after consultation with the High Court.

4. *Section 9 (section 11 of Bill as revised).*—We have provided for the re-transfer of proceedings transferred on the vacation of the office of a Subordinate Judge.

5. *Section 18 (section 13 of Bill as revised).*—We have added a sub-section for the purpose of removing a difficulty in questions of jurisdiction caused by the practice which obtains in Bengal of distributing work among Subordinate Judges and Munsifs according to thánas.

6. *Section 20 (section 19 of Bill as revised).*—We have empowered the Local Government, on the recommendation of the High Court, to extend the jurisdiction of selected Munsifs to suits of value not exceeding two thousand rupees.

7. *Section 26 (section 23 of Bill as revised).*—We have added proceedings under the Indian Succession Act, 1865, and the Probate and Administration Act, 1881, to the list of proceedings of which Subordinate Judges and Munsifs may be permitted to take cognizance.

8. *Section 28 (section 25 of Bill as revised).*—We have raised from Rs. 50 to Rs. 100 the value of the suits which Munsifs may be empowered to try in exercise of the jurisdiction of a Judge of a Court of Small Causes.

9. *Section 31 (section 28 of Bill as revised).*—We have considered it unnecessary to retain the punishment of degradation among the punishments which the High Court may inflict on Munsifs.



10. *Section 11 (section 36 of Bill as revised).*—We have, at the request of the Government of Bengal, empowered the Local Government to invest officers belonging to any defined class with the jurisdiction of a Civil Court under the Act. In exercise of this power it will be practicable to invest with the jurisdiction of a Subordinate Judge or Munsif those junior members of the Civil Service who have elected a judicial career.

11. *Section 24 (section 38 of Bill as revised).*—We have, at the instance of the High Court at Fort William, so modified this section as, when read with section 40 of the Bill as revised, to admit of its applying to Courts of Small Causes.

12. We annex to this Report a copy of the Bill as revised by us.

13. The publication ordered by the Council has been made as follows :—

*In English.*

<i>Gazette.</i>	<i>Date.</i>
Gazette of India . . . . .	23rd and 30th October, and 6th November, 1886.
Calcutta Gazette . . . . .	3rd, 10th and 17th November, 1886.
North-Western Provinces and Oudh Government Gazette . . . . .	30th October, and 6th and 13th November, 1886.
Assam Gazette . . . . .	13th, 20th and 27th November, 1886.

*In the Vernaculars.*

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Bengal . . . . .	Bengali . . . . .	25th January, 1887.
	Hindi . . . . .	18th January, 1887.
	Uriya . . . . .	30th December, 1886.

14. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

ANDREW R. SCOBLE.

J. B. PEILE.

W. W. HUNTER.

PEARI MOHAN MUKERJI.\*

J. W. QUINTON.

*The 4th March, 1887.*

\* I object to the provisions of section 36.

S. HARVEY JAMES,

*Offg. Secretary to the Government of India.*

## GOVERNMENT OF INDIA.

## LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 11th March, 1887, and is hereby promulgated for general information:—

## ACT NO. XIII OF 1887.

*An Act to provide for the protection of person and property from the risks incident to the supply and use of electricity for lighting and other purposes.*

WHEREAS it is expedient to control the supply and use of electricity for lighting and other purposes;

And whereas in the existing circumstances of the supply and use of electricity in India the exercise of that control by means of licenses or other like methods may be deferred, and it will suffice for the present to provide for the protection of person and property from the risks incident to such supply and use;

It is hereby enacted as follows:—

1. (1) This Act may be called the Electricity Act, 1887.

(2) It shall extend to the whole of British India; and

(3) It shall come into force on the first day of July, 1887.

2. In this Act, unless there is something repugnant in the subject or context,—

(1) "electricity" includes galvanism, magnetism, magneto-electricity and electro-magnetism:

(2) expressions defined in the Indian Telegraph Act, 1885, have the meanings assigned to them in that Act:

(3) "purpose" includes any purpose except the transmission of a message: and

(4) "vessel" includes anything used for the conveyance by water of human beings or of property.

3. In either of the following cases, namely:—

(a) if a person intends to undertake the business of supplying electricity, or

(b) if a person intends to use electricity for any public purpose, or in any public place, or in any place where there is likelihood of the public being affected, or in a place in which one hundred or more persons are likely to be assembled, or in a place which is a factory within the meaning of the Indian Factories Act, 1881,

the person shall, one week at least before commencing the supply or use, give notice of his

intention to the District Magistrate or, in a presidency-town, to the Commissioner of Police.

4. (1) The Governor General in Council may make such rules as he thinks expedient—

(a) for the protection of person and property from injury by reason of contact with, or the proximity of, appliances or apparatus used in the generation or supply of electricity, and

(b) for preventing telegraph-lines from being injuriously affected by any of those appliances or apparatus.

(2) The rules may, among other matters, authorise, or empower a Local Government or other authority to authorise, any officer, either by name or in virtue of his office, to enter, inspect and examine any place, carriage or vessel in which the officer has reason to believe any such appliances or apparatus to be.

(3) Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this section on the Governor General in Council, and shall be of the same force as if enacted by this Act.

(4) The power to make rules under this section is subject to the condition of the rules being made after previous publication.

5. If a person undertakes the business of supplying electricity, or uses electricity for any

such purpose or in any such place as is referred to in section 3, without giving the notice required by that section, or infringes any rule under section 4, or obstructs an officer in the exercise of his authority under any such rule to enter, inspect and examine any place, carriage or vessel, he shall be punished with fine which may extend to five hundred rupees, and, if he continues so to supply or use electricity or infringe the rule or obstruct the officer, after notice in writing to desist from so doing has been given to him by the District Magistrate or, in a presidency-town, by the Commissioner of Police, he shall be further punished with fine which may extend to one hundred rupees for every day during which such supply, use, infringement or obstruction continues.

6. The Governor General in Council may, for the placing of appliances and apparatus for the supply of electricity for any purpose of the Government, confer upon any public officer any of the powers which the telegraph-authority possesses under the Indian Telegraph Act, 1885, with respect to the placing of telegraph lines and posts for the purposes of a telegraph established or maintained by the Government or to be so established or maintained.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.